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PETER H. CROSSIN, State Bar No. 163189
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JOHN P. WORGUL, State Bar no. 259150
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Attorneys for Defendant, **BRANT BLAKEMAN**

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

CORY SPENCER, an individual;
DIANA MILENA REED, an individual;
and COASTAL PROTECTION
RANGERS, INC., a California non-profit
public benefit corporation

Plaintiffs.

vs.
LUNADA BAY BOYS; THE INDIVIDUAL MEMBERS OF THE LUNADA BAY BOYS, including but not limited to SANG LEE, BRANT BLAKEMAN, ALAN JOHNSTON AKA JALIAN JOHNSTON, MICHAEL RAE PAPAYANS, ANGELO FERRARA, FRANK FERRARA, CHARLIE FERRARA, and NICOLAS FERRARA; CITY OF PALOS VERDES ESTATES; CHIEF OF POLICE JEFF KEPLEY, in his representative capacity; and DOES 1-10.

Defendants.

CASE NO.: 2:16-CV-2129-SJO-RAO
Assigned to Courtroom: 10C
The Hon. S. James Otero

Magistrate Judge:
Hon. Rozella A. Oliver

**DECLARATIONS OF JOHN P.
WORGUL, RICHARD P.
DIEFFENBACH, AND PETER H.
CROSSIN IN SUPPORT OF THE
PARTIES JOINT STIPULATION
RE DISCOVERY PROPOUNDED
BY DEFENDANT BRANT
BLAKEMAN TO PLAINTIFF
CORY SPENCER**

[L.R. 37-2.1]

Discovery Cut-Off

Date: 8/7/17
Pretrial Conf. Date: 10/23/17
Trial Date: 11/7/17

DECLARATION OF JOHN P. WORGUL

I, John P. Worgul, declare that:

4 1. I am an attorney licensed to practice law in the State of California, admitted
5 to the Central District of California, and am an Associate of Veatch Carlson, LLP,
6 attorneys for Defendant Brant Blakeman (herein “Defendant”). I make this declaration
7 in support of Defendant’s Joint Stipulation seeking to compel further responses to
8 Interrogatories and Production Requests from Plaintiffs Cory Spencer, Diana Milena
9 Reed, and Costal Protection Rangers, Inc., (collectively “Plaintiffs”). I have personal
10 knowledge of the following facts and if called upon to testify, would and could do so
11 competently as follows. However, because this declaration is submitted for a limited
12 purpose, it does not contain all information I know about the matter.

13 2. Attached hereto as Exhibit 1 is a true and correct copy of Plaintiffs Initial
14 Disclosures, which indicate they were served by Plaintiffs on or about August 19, 2016.

15 3. Attached hereto as Exhibit 2 is a true and correct copy of a September 2, 2016
16 letter that I authored and was sent to Plaintiff's seeking a Rule 37-1 meeting regarding the
17 adequacy of Plaintiffs' Initial Disclosures and seeking for the disclosures to be
18 supplemented.

19 4. Attached hereto as Exhibit 6 is a true and correct copy of an email from
20 Mr.Otten on October 2, 2016 and the attachment to the email that is Plaintiffs
21 Supplemental Initial Disclosures, are dated October 2, 2016. The disclosures list 105
22 witnesses. Of the witnesses listed who are not parties 2 appear to have some knowledge
23 about Defendant, which are Daniel Dreiling Jr.(Witness No. 37), who allegedly made a
24 knee board for Defendant, and Ken Claypool (Witness No. 60) who will “testify about
25 several incidents of harassment at Lunada Bay involving Individuals such as Brant
26 Blakeman.”

27 5. Attached hereto as Exhibit 7 is a true and correct copy of Defendant's
28 Interrogatories, Sets One, propounded on the Plaintiffs on September 16, 2016. A separate

1 set of Interrogatories was propounded on each Plaintiff. The Interrogatories totals 12
2 identical interrogatories in each set that seek the identification of witnesses supporting
3 Plaintiffs' specific contentions made in the complaint against Defendant and the facts the
4 Plaintiffs contend are within the knowledge of such witnesses.

5 6. Attached hereto as Exhibit 8 is a true and correct copy of Request for
7 Production, Sets One, propounded on the Plaintiffs on September 16, 2016. A separate
8 set of Production Requests was propounded on each Plaintiff. The Request for Production
9 totals 12 request in each set that seek the production of documents supporting Plaintiffs'
specific contentions made in the complaint against Defendant.

10 7. Attached hereto as Exhibit 9 is a true and correct copy of a Plaintiffs'
11 Responses to Interrogatories, Sets One, served on October 20, 2016 by mail from
12 plaintiffs' counsel at Hanson Bridget *located in San Francisco*. The responses by
13 Plaintiffs to each set of interrogatories are nearly identical (Plaintiff Cory Spencer's
14 responses include and indication in the objection that the responding party had an
15 opportunity to depose Mr. Spencer but the responses are otherwise identical). The
16 response only contain objections. The responses appear to be signed by Kurt Franklin of
17 Hanson Bridget. Mr. Otten's signature notably is not present on the responses.

18 8. Attached hereto as Exhibit 10 is a true and correct copy of Plaintiffs
19 Responses to Request for Production, Sets One, served on October 20, 2016 by mail from
20 plaintiffs' counsel at Hanson & Bridget *located in Sacramento*. The responses by
21 Plaintiffs to each set of production requests are identical. It appears a counsel at Hanson
22 Bridget signed the requests. Plaintiffs in their responses to Request for Production
23 Numbers 1, 2, 3, 4, 5, 7, 8, and 9, indicate after their objections that "Responding party
24 will produce all responsive documents within its possession, custody, or control." No
25 documents were included in the responses. To date Plaintiffs' have not produced any
26 documents that are known to be responsive to Request for Production Numbers 1, 2, 3,
27 4, 5, 7, 8, and 9.

28 9. Notably Request for Production, Set One, Numbers 10, 11, and 12 seek

1 documents related to Plaintiffs individual claims of assault, battery and negligence. Each
2 response by each Plaintiff indicates that it does not have any documents in their
3 possession, custody, or control responsive to the respective request. The response then
4 also indicate "Discovery is ongoing, and this contention-based interrogatory is poorly
5 defined and premature." Notably the request are not interrogatories. This type of conduct
6 indicates the responses provided by Plaintiffs' and their counsel were boilerplate
7 responses and further verify that Plaintiffs' appear to have no basis for their causes of
8 actions for Assault, Battery and Negligence against Defendant.

9 10. I keep track of my hours worked in this matter. My hourly rate in this matter
10 is \$200 per hour, which is similar to or less than my rates in similar case. As of this
11 November 14, 2016, I have incurred approximately \$4,000 in fees in this matter, which
12 is attributable to work on this joint stipulation and motion, or attributable to work
13 intertwined with the joint stipulation and motion. In addition, I will spend a substantial
14 amount of time on the matter after November 14, 2016.

15 I declare under penalty of perjury under the laws of the United States that the
16 foregoing is true and correct. Executed on November 14, 2016, in Los Angeles,
17 California.

18

19

/s/ John P. Worgul
JOHN P. WORGUL

20

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1 **DECLARATION OF RICHARD P. DIEFFENBACH**
2

3 I, Richard P. Dieffenbach, declare that:

4 1. I am an attorney licensed to practice law in the State of California, admitted
5 to the Central District of California, am a member of American Board of Trial Attorneys,
6 and am an Senior Trial Attorney of Veatch Carlson, LLP, attorneys for Defendant Brant
7 Blakeman (herein “Defendant”). I make this declaration in support of Defendant’s Joint
8 Stipulation seeking to compel further responses to Interrogatories and Production
9 Requests from Plaintiffs Cory Spencer, Diana Milena Reed, and Costal Protection
10 Rangers, Inc., (collectively “Plaintiffs”). I have personal knowledge of the following facts
11 and if called upon to testify, would and could do so competently as follows. However,
12 because this declaration is submitted for a limited purpose, it does not contain all
13 information I know about the matter.

14 2. Attached hereto as Exhibit 3 is a true and correct copy of a September 7, 2016
15 email I received from Victor Otten, one of Plaintiffs’ counsels, responding to Mr.
16 Worgul’s September 2, 2016 meet and confer correspondence.

17 3. Attached hereto as Exhibit 4 is a true and correct copy of a September 9, 2016
18 letter I authored that responds to Mr. Otten’s September 7, 2016 email. It was noted in
19 the letter that plaintiffs’ counsel failed to provide times to comply with Local Rule 37-1
20 so that a timely meeting could occur.

21 4. Attached hereto as Exhibit 5 is a true and correct copy of a September 28,
22 2016 email correspondence from Mr. Otten. It is part of an email chain containing 11
23 emails between Mr. Otten, myself. The email chain represents a significant portion of
24 conferring with Mr. Otten to have a Local Rule 37-1 meeting, in which Mr. Otten refused
25 to meet in our office, refused to meet within 10 days or have a co-counsel meet with my
26 office, and which is noted in my September 12, 2016 email sent at 4:16 PM. On
27 September 14, 2016 we had a telephonic conference, which included other defendants’
28 counsels. Mr. Otten, although not indicating what Plaintiffs would supplement regarding

1 their initial disclosure, agreed that the disclosures would be supplemented by September
2 23, 2016. The disclosures were not supplemented by Plaintiffs on September 23, 2016
3 despite Mr. Otten's prior representation. As indicated in Exhibit 5 on September 28, 2016
4 at 1:07 PM Mr. Otten acknowledged there was a delay and that the supplemental
5 disclosures would be emailed the next day at latest. Again Mr. Otten's representation
6 proved to be false as supplemental disclosures were not sent on September 29, 2016.

7 5. Attached hereto as Exhibit 11 is a true and correct copy of an October 28,
8 2016 email and letter to Plaintiffs Counsel that I authored. The letter is addressed to Kurt
9 Franklin, Plaintiffs counsel at Hanson Bridget who signed Plaintiffs' responses to the
10 Interrogatories and Production Requests at issue in this motion. The letter outlines issues
11 related to the discovery requests, addresses each of Plaintiffs' objections to the discovery
12 requests, seeks a further response, and seeks the production of documents. The letter
13 requested a meeting pursuant to Local Rule 37-1. The letter noted that Defendant
14 Blakeman would not be produced for deposition until this dispute was resolved.

15 6. On November 1, 2016, Mr. Otten responded to my correspondence sent to
16 Mr. Franklin. He indicated he would not take the deposition off calendar, he was in trial,
17 and would be available to meet about the requests some time after Defendant's
18 deposition. Mr. Franklin did not respond.

19 7. Attached hereto as Exhibit 13 is a true and correct copy of a November 7,
20 2016 email and letter to Plaintiffs' Counsel that I authored. It was noted that no responses
21 to my request to have a Local Rule 37-1 meeting were received from Plaintiffs' counsel.
22 The letter detailed numerous instances of delays by the Plaintiffs in providing
23 discoverable information and that Plaintiffs had been withholding information only to
24 later produce it at the time of a deposition. The letter also noted that in their depositions
25 both plaintiffs who desire to be class representatives provided no facts or testimony
26 indicating any support for the complaints made against Defendant Blakeman in Plaintiffs'
27 complaint. The letter noted that Defendant Blakeman would be forced to seek ex parte
28 relief to stay his pending deposition, and may seek to stay all discovery except class

1 discovery. The letter again asked Plaintiffs' counsel to agree to confer with my office
2 within the time required under Local Rule 37-1.

3 8. 10 days after October 28, 2016 is November 7, 2016. This is the time frame
4 that a meeting was required to be completed under Local Rule 37-1, which said meeting
5 was requested in my October 28, 2016 letter. No meeting has occurred as of the signing
6 of this declaration.

7 9. Attached hereto as Exhibit 14 is a true and correct copy of a November 7,
8 2016 email and letter from Plaintiffs' Counsel, Mr. Otten, that I received and was sent
9 after my November 7, 2016 email. The letter reiterates Plaintiffs desire to proceed with
10 Defendant's deposition on November 10, 2016. The letter also addresses the objections
11 and indicates that more than 2000 documents were sent on November 4, 2016 that Mr.
12 Otten "assumes that this production addresses the portion of your meet and confer letter
13 regarding the Request for Production of Documents."

14 10. As Plaintiffs were unwilling to take Defendant's deposition off calendar this
15 forced Defendant to File an Ex Parte Application for a Protective Order to stay the
16 deposition. The Ex Parte Application was filed on November 8, 2016, oppositions were
17 filed, this Court stayed the deposition (See Doc. No. 139) and set a telephonic conference
18 on November 14, 2016.

19 11. I keep track of my hours worked in this matter. My hourly rate in this matter
20 is \$200 per hour, which is similar to or less than my rates in similar cases. As of this
21 November 14, 2016, I have incurred approximately \$1,800in fees in this matter, which
22 is attributable to work on this joint stipulation and motion, or attributable to work
23 intertwined with the joint stipulation and motion. In addition, I will spend a substantial
24 amount of time on the matter after November 14, 2016.

25 I declare under penalty of perjury under the laws of the United States that the
26 foregoing is true and correct. Executed on November 14, 2016, in Los Angeles,
27 California.

28 /s/ Richard P. Dieffenbach
RICHARD P. DIEFFENBACH

DECLARATION OF PETER H. CROSSIN

I, Peter H. Crossin, declare that:

4 1. I am an attorney licensed to practice law in the State of California, admitted
5 to the Central District of California, am a Partner of Veatch Carlson, LLP, attorneys for
6 Defendant Brant Blakeman (herein “Defendant”), and the head of Veatch Carlson’s Law
7 and Motion and Appellate Department. I make this declaration in support of Defendant’s
8 Joint Stipulation seeking to compel further responses to Interrogatories and Production
9 Requests from Plaintiffs Cory Spencer, Diana Milena Reed, and Costal Protection
10 Rangers, Inc., (collectively “Plaintiffs”). I have personal knowledge of the following facts
11 and if called upon to testify, would and could do so competently as follows. However,
12 because this declaration is submitted for a limited purpose, it does not contain all
13 information I know about the matter.

14 2. I keep track of my hours worked in this matter. My hourly rate in this matter
15 is \$200 per hour, which is similar to or less than my rates in similar case. As of this
16 November 14, 2016, I have incurred approximately \$1,000 in fees in this matter, which
17 is attributable to work on this joint stipulation and motion, or attributable to work
18 intertwined with the joint stipulation and motion. In addition, I will spend a substantial
19 amount of time on the matter after November 14, 2016.

20 I declare under penalty of perjury under the laws of the United States that the
21 foregoing is true and correct. Executed on November 14, 2016, in Los Angeles,
22 California.

/s/ Peter H. Crossin
PETER H. CROSSIN

EXHIBIT 1

1 HANSON BRIDGETT LLP
2 KURT A. FRANKLIN, SBN 172715
3 kfranklin@hansonbridgett.com
4 SAMANTHA WOLFF, SBN 240280
5 swolff@hansonbridgett.com
6 CAROLINE LEE, SBN 293297
7 clee@hansonbridgett.com
8 425 Market Street, 26th Floor
9 San Francisco, California 94105
10 Telephone: (415) 777-3200
11 Facsimile: (415) 541-9366

12 HANSON BRIDGETT LLP
13 TYSON M. SHOWER, SBN 190375
14 tshower@hansonbridgett.com
15 LANDON D. BAILEY, SBN 240236
16 lbailey@hansonbridgett.com
17 500 Capitol Mall, Suite 1500
18 Sacramento, California 95814
19 Telephone: (916) 442-3333
20 Facsimile: (916) 442-2348

21 OTTEN LAW, PC
22 VICTOR OTTEN, SBN 165800
23 vic@ottenlawpc.com
24 KAVITA TEKCHANDANI, SBN 234873
25 kavita@ottenlawpc.com
26 3620 Pacific Coast Highway, #100
27 Torrance, California 90505
28 Telephone: (310) 378-8533
Facsimile: (310) 347-4225

17 Attorneys for Plaintiffs
18 CORY SPENCER, DIANA MILENA
19 REED, and COASTAL PROTECTION
20 RANGERS, INC.

21 **UNITED STATES DISTRICT COURT**
22 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
26 California non-profit public benefit
corporation,

27 CASE NO. 2:16-cv-02129-SJO (RAOx)
28 **PLAINTIFFS' INITIAL
DISCLOSURES**

Plaintiffs.

1
2

v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including but
not limited to SANG LEE, BRANT
BLAKEMAN, ALAN JOHNSTON
6 AKA JALIAN JOHNSTON,
MICHAEL RAE PAPAYANS,
ANGELO FERRARA, FRANK
8 FERRARA, CHARLIE FERRARA,
and N.F.; CITY OF PALOS
9 VERDES ESTATES; CHIEF OF
10 POLICE JEFF KEPLEY, in his
representative capacity; and DOES
11 1-10,

12

13 Defendants.
14

15 Plaintiffs CORY SPENCER, DIANA MILENA REED, and COASTAL
16 PROTECTION RANGERS, INC. (collectively, Plaintiffs) make the following
17 initial disclosures pursuant to F.R.C.P. 26(a)(1). As permitted under
18 Rule 26(e)(1), Plaintiffs reserve the right to clarify, amend, modify or
19 supplement the information contained in these Initial Disclosures if and when
20 they obtain supplemental information. In addition, Plaintiffs may rely on any
21 persons or documents identified by any party as part of their disclosures or
22 during discovery.

23 Plaintiffs' Initial Disclosures are made without waiver of, or prejudice
24 to, any objections Plaintiffs may assert or have previously asserted.

25 Plaintiffs expressly reserve all objections, including, but not limited to:
26 (a) attorney-client privilege; (b) work-product doctrine; and (c) any other
27 applicable privilege or protection under federal or state law. Plaintiffs
28 reserve the right to retract any inadvertent disclosures of information or

1 documents that are protected by the attorney-client privilege, the work
2 product doctrine, or any other applicable protection.

3 Without waiving any objections, Plaintiffs make the following
4 disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil
5 Procedure:

6 **A. Witnesses**

7 Plaintiffs are in the process of identifying witnesses who are likely to
8 have discoverable information. However, at this early stage, Plaintiffs
9 identifying the following person(s) they may use to support their claims:

- 10 1) Plaintiff class representative Cory Spencer, who may be
11 reached via counsel for Plaintiffs, on the subjects set forth in
12 the Complaint, to which he was a percipient witness.
- 13 2) Plaintiff class representative Diana Milena Reed, who may be
14 reached via counsel for Plaintiffs, on the subjects of set forth
15 in the Complaint, to which she was a percipient witness.
- 16 3) Defendant Sang Lee, on the allegations set forth in the
17 Complaint related to Defendant Lunada Bay Boys and the
18 Individual Members of the Lunada Bay Boys.
- 19 4) Defendant Brant Blakeman, on the allegations set forth in the
20 Complaint related to Defendant Lunada Bay Boys and the
21 Individual Members of the Lunada Bay Boys.
- 22 5) Defendant Michael Rae Papayans, on the allegations set forth
23 in the Complaint related to Defendant Lunada Bay Boys and
24 the Individual Members of the Lunada Bay Boys.
- 25 6) Defendant Angelo Ferrara, on the allegations set forth in the
26 Complaint related to Defendant Lunada Bay Boys and the
27 Individual Members of the Lunada Bay Boys.
- 28 7) Defendant Charlie Ferrara, on the allegations set forth in the

- 1 15) Peter Babros, 316 Via Pasqual, Redondo Beach, CA 90277,
2 on the allegations set forth in the Complaint related to
3 Defendant Lunada Bay Boys and Individual Members of the
4 Lunada Bay Boys.
- 5 16) Cassidy Beukema, contact information unknown, on the
6 allegations set forth in the Complaint related to Defendant
7 Lunada Bay Boys and Individual Members of the Lunada Bay
8 Boys.
- 9 17) Ron Bornstein, contact information unknown, on the
10 allegations set forth in the Complaint related to Defendant
11 Lunada Bay Boys and Individual Members of the Lunada Bay
12 Boys.
- 13 18) Joel Milam, 30571 Rue De La Pzerre, Rancho Palos Verdes,
14 CA 90275, on the allegations set forth in the Complaint
15 related to Defendant Lunada Bay Boys and Individual
16 Members of the Lunada Bay Boys.
- 17 19) Charles Thomas Mowatt, 2337 Via Rivera, Palos Verdes
18 Peninsula, CA 90274-2725; (310) 375-6600, on the
19 allegations set forth in the Complaint related to Defendant
20 Lunada Bay Boys, Individual Members of the Lunada Bay
21 Boys and communications with Defendant City of Palos
22 Verdes Estates.
- 23 20) James Reinhardt, contact information unknown, on the
24 allegations set forth in the Complaint related to Defendant
25 Lunada Bay Boys and the Individual Members of The Lunada
26 Bay Boys.
- 27 21) Fred Straeter, contact information unknown, on the
28 allegations set forth in the Complaint related to Defendant

- 1 Lunada Bay Boys and the Individual Members of the Lunada
2 Bay Boys.
- 3 22) Paul Ruth, contact information unknown, on the allegations
4 set forth in the Complaint related to Defendant Lunada Bay
5 Boys and the Individual Members of the Lunada Bay Boys.
- 6 23) Slade Fester, contact information unknown, on the allegations
7 set forth in the Complaint related to Defendant Lunada Bay
8 Boys and the Individual Members of the Lunada Bay Boys.
- 9 24) Mark Bonney, contact information unknown, on the
10 allegations set forth in the Complaint related to Defendant
11 Lunada Bay Boys and the Individual Members of the Lunada
12 Bay Boys.
- 13 25) Chris Tronolone, contact information unknown, on the
14 allegations set forth in the Complaint related to Defendant
15 Lunada Bay Boys and the Individual Members of the Lunada
16 Bay Boys.
- 17 26) David Hilton, contact information unknown, on the allegations
18 set forth in the Complaint related to Defendant Lunada Bay
19 Boys and the Individual Members of the Lunada Bay Boys.
- 20 27) Eric Hilton, contact information unknown, on the allegations
21 set forth in the Complaint related to Defendant Lunada Bay
22 Boys and the Individual Members of the Lunada Bay Boys.
- 23 28) Kelly Logan, contact information unknown, on the allegations
24 set forth in the Complaint related to Defendant Lunada Bay
25 Boys and the Individual Members of the Lunada Bay Boys.
- 26 29) John Rall, contact information unknown, on the allegations set
27 forth in the Complaint related to Defendant Lunada Bay Boys
28 and the Individual Members of the Lunada Bay Boys.

- 1 30) Michael S. Papayans, contact information unknown, on the
- 2 allegations set forth in the Complaint related to Defendant
- 3 Lunada Bay Boys, the Individual Members of the Lunada Bay
- 4 Boys and communications with Defendant City of Palos
- 5 Verdes Estates.
- 6 31) Jim Russi, contact information unknown, on the allegations
- 7 set forth in the Complaint related to Defendant Lunada Bay
- 8 Boys and the Individual Members of the Lunada Bay Boys.
- 9 32) Carlos Anorga, 4040 Spencer St., Suite J, Torrance, CA
- 10 90503; (310) 371-7762, on the allegations set forth in the
- 11 Complaint related to Defendant Lunada Bay Boys and the
- 12 Individual Members of the Lunada Bay Boys.
- 13 33) Zen Del Rio, contact information unknown, on the allegations
- 14 set forth in the Complaint related to Defendant Lunada Bay
- 15 Boys and the Individual Members of the Lunada Bay Boys.
- 16 34) Mark Koehler, address unknown; (808) 639-1668, on the
- 17 allegations set forth in the Complaint related to Defendant
- 18 Lunada Bay Boys and the Individual Members of the Lunada
- 19 Bay Boys.
- 20 35) Jay H. Duston, contact information unknown, on the
- 21 allegations set forth in the Complaint related to Defendant
- 22 Lunada Bay Boys and the Individual Members of the Lunada
- 23 Bay Boys.
- 24 36) Chad Beatty, 1104 S. Juanita Ave., Redondo Beach, CA
- 25 90277, on the allegations set forth in the Complaint related to
- 26 Defendant Lunada Bay Boys and the Individual Members of
- 27 the Lunada Bay Boys.
- 28 37) Joe Bark, address unknown; (310) 429-2463, on the

allegations set forth in the Complaint related to Defendant Lunada Bay Boys and the Individual Members of the Lunada Bay Boys.

- 38) Thomas Bennett, contact information unknown, on the allegations set forth in the Complaint related to Defendant Lunada Bay Boys and the Individual Members of the Lunada Bay Boys.
 - 39) Paul Hugoboom, contact information unknown, on the allegations set forth in the Complaint related to Defendant Lunada Bay Boys and the Individual Members of the Lunada Bay Boys.
 - 40) David M. Jessup, contact information unknown, on the allegations set forth in the Complaint related to Defendant Lunada Bay Boys and the Individual Members of the Lunada Bay Boys.
 - 41) Jason Buck, contact information unknown, on the allegations set forth in the Complaint related to Defendant Lunada Bay Boys and the Individual Members of the Lunada Bay Boys.
 - 42) Robert Bacon, contact information unknown, on the allegations set forth in the Complaint related to Defendant Lunada Bay Boys and the Individual Members of the Lunada Bay Boys.
 - 43) Tony Pazanowski, contact information unknown, on the allegations set forth in the Complaint related to Defendant Lunada Bay Boys and the Individual Members of the Lunada Bay Boys.
 - 44) Bill Kaemerle, contact information unknown, on the allegations set forth in the Complaint related to Defendant Lunada Bay Boys and the Individual Members of the Lunada Bay Boys.

- 1 Lunada Bay Boys and the Individual Members of the Lunada
2 Bay Boys.
- 3 45) Derek Daigneault, contact information unknown, on the
4 allegations set forth in the Complaint related to Defendant
5 Lunada Bay Boys and the Individual Members of the Lunada
6 Bay Boys.
- 7 46) Daniel Dreiling Jr., contact information unknown, on the
8 allegations set forth in the Complaint related to Defendant
9 Lunada Bay Boys and the Individual Members of the Lunada
10 Bay Boys.
- 11 47) Teresa Gamboa, contact information unknown, on the
12 allegations set forth in the Complaint related to Defendant
13 Lunada Bay Boys and the Individual Members of the Lunada
14 Bay Boys.
- 15 48) Danny Ecker, contact information unknown, on the allegations
16 set forth in the Complaint related to Defendant Lunada Bay
17 Boys and the Individual Members of the Lunada Bay Boys.
- 18 49) Pat Ecker, contact information unknown, on the allegations
19 set forth in the Complaint related to Defendant Lunada Bay
20 Boys and the Individual Members of the Lunada Bay Boys.
- 21 50) Greg Cahill, contact information unknown, on the allegations
22 set forth in the Complaint related to Defendant Lunada Bay
23 Boys and the Individual Members of the Lunada Bay Boys.
- 24 51) Bill Burke, contact information unknown, on the allegations
25 set forth in the Complaint related to Defendant Lunada Bay
26 Boys and the Individual Members of the Lunada Bay Boys.
- 27 52) Alex Hooks, contact information unknown, on the allegations
28 set forth in the Complaint related to Defendant Lunada Bay

- 1 Boys and the Individual Members of the Lunada Bay Boys.
- 2 53) Alex Gray, contact information unknown, on the allegations
- 3 set forth in the Complaint related to Defendant Lunada Bay
- 4 Boys and the Individual Members of the Lunada Bay Boys.
- 5 54) Leonora Beukema, 2817 Palos Verdes Dr., Palos Verdes
- 6 Estates, CA 90274, on the allegations set forth in the
- 7 Complaint related to Defendant Lunada Bay Boys and the
- 8 Individual Members of the Lunada Bay Boys.
- 9 55) Jordan Wright, can be contacted through counsel, on the
- 10 subjects set forth in the Complaint, to which he was a
- 11 percipient witness.
- 12 56) Gavin Heaney, can be contacted through counsel, on the
- 13 allegations set forth in the Complaint related to Defendant
- 14 Lunada Bay Boys and the Individual Members of the Lunada
- 15 Bay Boys.
- 16 57) Tyler Canali, can be contacted through counsel, on the
- 17 allegations set forth in the Complaint related to Defendant
- 18 Lunada Bay Boys and the Individual Members of the Lunada
- 19 Bay Boys.
- 20 58) Jimmy Conn, can be contacted through counsel, on the
- 21 allegations set forth in the Complaint related to Defendant
- 22 Lunada Bay Boys and the Individual Members of the Lunada
- 23 Bay Boys.
- 24 59) Curt Cortum, can be contacted through counsel, on the
- 25 allegations set forth in the Complaint related to Defendant
- 26 Lunada Bay Boys and the Individual Members of the Lunada
- 27 Bay Boys.
- 28 60) Daniel Dorn, can be contacted through counsel, on the

1 allegations set forth in the Complaint related to Defendant
2 Lunada Bay Boys and the Individual Members of the Lunada
3 Bay Boys.

4 61) Derek Ellis, can be contacted through counsel, on the
5 allegations set forth in the Complaint related to Defendant
6 Lunada Bay Boys and the Individual Members of the Lunada
7 Bay Boys.

8 62) Geoff Hagins, can be contacted through counsel, on the
9 allegations set forth in the Complaint related to Defendant
10 Lunada Bay Boys and the Individual Members of the Lunada
11 Bay Boys.

12 63) John Hagins, can be contacted through counsel, on the
13 allegations set forth in the Complaint related to Defendant
14 Lunada Bay Boys and the Individual Members of the Lunada
15 Bay Boys.

16 64) Mike Bernard, can be contacted through counsel, on the
17 allegations set forth in the Complaint related to Defendant
18 Lunada Bay Boys and the Individual Members of the Lunada
19 Bay Boys.

20 65) Mike Bernard, Jr. can be contacted through counsel, on the
21 allegations set forth in the Complaint related to Defendant
22 Lunada Bay Boys and the Individual Members of the Lunada
23 Bay Boys.

24 66) Charlie Rigano, can be contacted through counsel, on the
25 allegations set forth in the Complaint related to Defendant
26 Lunada Bay Boys and the Individual Members of the Lunada
27 Bay Boys.

28 67) Doug Disanti, can be contacted through counsel, on the

1 allegations set forth in the Complaint related to Defendant
2 Lunada Bay Boys and the Individual Members of the Lunada
3 Bay Boys.

- 4 68) Kurt Stanphenhorst, contact information unknown, on the
5 allegations set forth in the Complaint related to Defendant
6 Lunada Bay Boys and the Individual Members of the Lunada
7 Bay Boys.
- 8 69) Randy Clark, contact information unknown, on the allegations
9 set forth in the Complaint related to Defendant Lunada Bay
10 Boys and the Individual Members of the Lunada Bay Boys.
- 11 70) John Innis, contact information unknown, on the allegations
12 set forth in the Complaint related to Defendant Lunada Bay
13 Boys and the Individual Members of the Lunada Bay Boys.
- 14 71) Trish Laurie, can be contacted through counsel, on the
15 allegations set forth in the Complaint related to Defendant
16 Lunada Bay Boys and the Individual Members of the Lunada
17 Bay Boys.
- 18 72) Blake Will, can be contacted through counsel, on the
19 allegations set forth in the Complaint related to Defendant
20 Lunada Bay Boys and the Individual Members of the Lunada
21 Bay Boys.
- 22 73) Ken Claypool, can be contacted through counsel, on the
23 allegations set forth in the Complaint related to Defendant
24 Lunada Bay Boys and the Individual Members of the Lunada
25 Bay Boys.
- 26 74) Tom Wilson, contact information unknown, on the allegations
27 set forth in the Complaint related to Defendant Lunada Bay
28 Boys and the Individual Members of the Lunada Bay Boys.

- 1 75) Martin Tueling, contact information unknown, on the
- 2 allegations set forth in the Complaint related to Defendant
- 3 Lunada Bay Boys and the Individual Members of the Lunada
- 4 Bay Boys.
- 5 76) Bernie Mann, contact information unknown, on the allegations
- 6 set forth in the Complaint related to Defendant Lunada Bay
- 7 Boys and the Individual Members of the Lunada Bay Boys.
- 8 77) Dr. Stephen Young, can be contacted through counsel, on the
- 9 allegations set forth in the Complaint related to Defendant
- 10 Lunada Bay Boys and the Individual Members of the Lunada
- 11 Bay Boys.
- 12 78) Fred Hayek, contact information unknown, on the allegations
- 13 set forth in the Complaint related to Defendant Lunada Bay
- 14 Boys and the Individual Members of the Lunada Bay Boys.
- 15 79) Hagan Kelly, contact information unknown, on the allegations
- 16 set forth in the Complaint related to Defendant Lunada Bay
- 17 Boys and the Individual Members of the Lunada Bay Boys.
- 18 80) Sef Krell, 5115 Louise Ave., Encino, CA 91316; (818) 906-
- 19 3662, on the allegations set forth in the Complaint related to
- 20 Defendant Lunada Bay Boys and the Individual Members of
- 21 the Lunada Bay Boys.
- 22 81) Patrick Landon, can be contacted through counsel, on the
- 23 allegations set forth in the Complaint related to Defendant
- 24 Lunada Bay Boys and the Individual Members of the Lunada
- 25 Bay Boys.
- 26 82) Frank Netto, can be contacted through counsel, on the
- 27 allegations set forth in the Complaint related to Defendant
- 28 Lunada Bay Boys and the Individual Members of the Lunada

- 1 Bay Boys.
- 2 83) Randy Miestrell, contact information unknown, on the
- 3 allegations set forth in the Complaint related to Defendant
- 4 Lunada Bay Boys and the Individual Members of the Lunada
- 5 Bay Boys.
- 6 84) Sharlean Perez, can be contacted through counsel, on the
- 7 allegations set forth in the Complaint related to Defendant
- 8 Lunada Bay Boys and the Individual Members of the Lunada
- 9 Bay Boys.
- 10 85) Charles Michael Pinkerton, can be contacted through
- 11 counsel, on the allegations set forth in the Complaint related
- 12 to Defendant Lunada Bay Boys and the Individual Members
- 13 of the Lunada Bay Boys.
- 14 86) Mike Purpus, contact information unknown, on the allegations
- 15 set forth in the Complaint related to Defendant Lunada Bay
- 16 Boys and the Individual Members of The Lunada Bay Boys.
- 17 87) Mike Stevens, Los Angeles County District Attorney's Office,
- 18 on the allegations set forth in the Complaint related to
- 19 Defendant Lunada Bay Boys and the Individual Members of
- 20 the Lunada Bay Boys.
- 21 88) Christopher Taloa, can be contacted through counsel, on the
- 22 allegations set forth in the Complaint related to Defendant
- 23 Lunada Bay Boys and the Individual Members of the Lunada
- 24 Bay Boys.
- 25 89) Tim Tindall, can be contacted through counsel, on the
- 26 allegations set forth in the Complaint related to Defendant
- 27 Lunada Bay Boys and the Individual Members of the Lunada
- 28 Bay Boys.

- 1 90) Rory Carroll, contact information unknown, on the allegations
- 2 set forth in the Complaint related to Defendant Lunada Bay
- 3 Boys and the Individual Members of the Lunada Bay Boys.
- 4 91) Noah Smith, contact information unknown, on the allegations
- 5 set forth in the Complaint related to Defendant Lunada Bay
- 6 Boys and the Individual Members of the Lunada Bay Boys.
- 7 92) Josh Berstein, contact information unknown, on the subject of
- 8 the declaration submitted to the California Coastal
- 9 Commission regarding trail access.
- 10 93) Karl R. Bingemann, contact information unknown, on the
- 11 subject of the declaration submitted to the California Coastal
- 12 Commission regarding trail access.
- 13 94) William C. Brand, contact information unknown, on the subject
- 14 of the declaration submitted to the California Coastal
- 15 Commission regarding trail access.
- 16 95) Kurt Buettgenbach, contact information unknown, on the
- 17 subject of the declaration submitted to the California Coastal
- 18 Commission regarding trail access.
- 19 96) Sean Criss, contact information unknown, on the subject of
- 20 the declaration submitted to the California Coastal
- 21 Commission regarding trail access.
- 22 97) Douglas Leach, contact information unknown, on the subject
- 23 of the declaration submitted to the California Coastal
- 24 Commission regarding trail access.
- 25 98) Ian McDonald, contact information unknown, on the subject of
- 26 the declaration submitted to the California Coastal
- 27 Commission regarding trail access.
- 28 99) John R. McGrath, Jr., contact information unknown, on the

subject of the declaration submitted to the California Coastal Commission regarding trail access.

- 3 100) Colin McNany, contact information unknown, on the subject of
4 the declaration submitted to the California Coastal
5 Commission regarding trail access.

6 101) Bruce V. Rorty, contact information unknown, on the subject
7 of the declaration submitted to the California Coastal
8 Commission regarding trail access.

9 102) Officers R. Castro / C. Simon, presumably can be contacted
10 through counsel for the City, on the subject regarding Officer
11 Report for Incident 12-11606.

12 103) Officers Helinga / Wulf, presumably can be contacted through
13 counsel for the City, on the subject regarding Officer Report
14 for Incident 11-10919.

15 104) Officer Shinowsky, presumably can be contacted through
16 counsel for the City, on the subject regarding Officer Report
17 for Incident 95-0297.

18 105) Officer Belcher, presumably can be contacted through
19 counsel for the City, on the subject regarding Officer Report
20 for Incidents 95-0281, 95-0381.

21 106) Officers Velez / John C. Eberhard / Denise L. Allen,
22 presumably can be contacted counsel for the City, on the
23 subject regarding Officer Report(s) for Incidents 95-0418 and
24 97-0042.

25 107) Officers Denice L. Allen / John C. Eberhard / Steven N.
26 Barber, presumably can be contacted through counsel for the
27 City, on the subject regarding Officer Report for Incident 97-
28 0047.

- 1 108) Officers Richard J. Delmont / Patrick L. Hite, can presumably
2 be contacted through counsel for the City, on the subject
3 regarding Officer Report for Incident 98-0301.
- 4 109) Officers Cecilia T. Nguyen / Mark A. Velez / Valerie S. Hite,
5 can presumably be contacted through counsel for the City, on
6 the subject regarding Officer Report for Incident 99-0042.
- 7 110) Officers E. Gaunt / C. Reed, presumably can be contacted
8 through counsel for the City, on the subject regarding Officer
9 Report for Incident 09-00575.
- 10 111) Officers E. Gaunt / C. Reed, presumably can be contacted
11 through counsel for the City, on the subject regarding Officer
12 Report for Incident 09-00562.
- 13 112) Officers B. Hernandez / R. Venegas, presumably can be
14 contacted through counsel for the City, on the subject
15 regarding Officer Report for Incident 09-00693.
- 16 113) Officer B. Hernandez, presumably can be contacted through
17 counsel for the City, on the subject regarding Officer
18 Report for Incident 09-10183.
- 19 114) Officers L. Tejada / R. Delmont, presumably can be contacted
20 through counsel for the City, on the subject regarding Officer
21 Report for Incident 09-08872.
- 22 115) Officers C. Eberhard / S. Tomlins, presumably can be
23 contacted through counsel for the City, on the subject
24 regarding Officer Report for Incident 10-00265.
- 25 116) Officers B. Hernandez / C. Reed, presumably can be
26 contacted through counsel for the City, on the subject
27 regarding Officer Report for Incident 10-02408.

28 ///

1 **B. Documents**

2 In accordance with F.R.C.P. 26(a)(1)(A)(ii), Plaintiffs identify the
3 following categories of documents in their possession, custody or control:

4 Police Reports:

- 5 1. Palos Verdes Estates Police Department, Officer Report for
6 Incident 16-01360, dated 1/22/95.
- 7 2. Palos Verdes Estates Police Department, Officer Report for
8 Incident 95-0219/0381, dated 3/13/95.
- 9 3. Palos Verdes Estates Police Department, Officer Report for
10 Incident 95-0297, dated 4/5/95.
- 11 4. Palos Verdes Estates Police Department, Officer Report for
12 Incident 95-0381, dated 4/26/95.
- 13 5. Palos Verdes Estates Police Department, Officer Report for
14 Incident 95-0381, dated 3/14/95.
- 15 6. Palos Verdes Estates Police Department, Officer Report for
16 Incident 95-0418, dated 5/7/95.
- 17 7. Palos Verdes Estates Police Department, Officer Report for
18 Incident 96-1037, dated 12/18/96.
- 19 8. Palos Verdes Estates Police Department, Officer Report for
20 Incident 97-0002, dated 1/1/97.
- 21 9. Palos Verdes Estates Police Department, Officer Report for
22 Incident 97-0042, dated 1/18/97.
- 23 10. Palos Verdes Estates Police Department, Officer Report for
24 Incident 97-0047, dated 1/19/97.
- 25 11. Palos Verdes Estates Police Department, Officer Report for
26 Incident 98-0301, dated 5/02/98.
- 27 12. Palos Verdes Estates Police Department, Officer Report for
28 Incident 99-0042, dated 1/16/99.

- 1 13. Palos Verdes Estates Police Department, Officer Report for
- 2 Incident 99-0077, dated 1/24/99.
- 3 14. Palos Verdes Estates Police Department, Officer Report for
- 4 Incident 09-00562, dated 1/19/09.
- 5 15. Palos Verdes Estates Police Department, Officer Report for
- 6 Incident 09-00693, dated 1/24/09.
- 7 16. Palos Verdes Estates Police Department, Officer Report for
- 8 Incident 09-08872, dated 10/15/09.
- 9 17. Palos Verdes Estates Police Department, Officer Report for
- 10 Incident 09-10183, dated 11/28/09.
- 11 18. Palos Verdes Estates Police Department, Officer Report for
- 12 Incident 10-00265, dated 1/10/10.
- 13 19. Palos Verdes Estates Police Department, Officer Report for
- 14 Incident 10-02408, dated 3/23/10.
- 15 20. Palos Verdes Estates Police Department, Officer Report for
- 16 Incident 11-10919, dated 12/25/11.
- 17 21. Palos Verdes Estates Police Department, Officer Report for
- 18 Incident 12-11606, dated 11/03/12.
- 19 22. Palos Verdes Estates Police Department, Officer Report for
- 20 Incident 16-0136, dated 1/29/16.

21 Photos:

- 22 23. All photos attached as exhibits to the Complaint.
- 23 24. All photos attached as exhibits to the State Action BC629596.
- 24 25. Photographs of Lunada Bay taken in August 2015 and provided
- 25 to Plaintiffs by City of Palos Verdes Estates in response to Public
- 26 Records Act Request, Bates Nos. 1128-1151,1267-1300.

27 Correspondence:

- 28 26. Letter undated from Jim Russi to Ed Jaakola.

Videos:

- 28 || 38. Defendant Sang Lee and other Bay Boys caught on video.

1 https://www.theguardian.com/travel/video/2015/may/18/california
2 -surf-wars-lunada-bay-localism-video

- 3 39. Peter McCollum assaults Jeff Hagins, John Hagins, Vietnam
4 combat vet Mike Bernard and his son for surfing the public beach
5 telling them, among other things, "you won't come back here
6 again boy".

7 https://www.youtube.com/watch?v=J1Ms0ktOaZs

- 8 40. Defendant Michael Papayans - blocking access to the public
9 beach: <https://vimeo.com/88394493>

- 10 41. MLK harassment - <https://vimeo.com/85025465>

- 11 42. Video of David Melo harassing Diana Milena Reed and Jordan
12 Wright and attempting to block their access to public beach
13 taken on 1/29/16.

- 14 43. Video of Hank Harper attempting to intimidate Diana Milena
15 Reed and her attorney while being interviewed by the media.

- 16 44. The Swell Life, (2001), interview of former Chief of Police Timm
17 Browne.

18 **C. Damages**

19 A Computation of Damages Claimed by Plaintiff Under Fed. R. Civ. P.
20 26(a)(1)(A)(iii)

21 This case is primarily about broad, class-wide injunctive and
22 declaratory relief necessary to redress group-wide injury to visiting
23 beachgoers whom Defendants are denying access to Lunada Bay, whereby
24 a single injunction or declaratory judgment will provide relief to each member
25 of the class. In addition to equitable relief, on behalf of themselves and the
26 putative class, Plaintiffs Cory Spencer and Diana Milena Read seek uniform
27 and formulaic damages that are incidental to the requested equitable relief.
28 This includes damages under Civil Code section 52 and 52.1(b). Plaintiffs do

1 not have sufficient information at this time to provide an accurate estimate of
2 the incidental damages, however, such amount is to be determined at trial.

3 In addition, on behalf of the putative class, Plaintiffs seek (a) civil fines
4 for violation of the California Coastal Act of up to \$30,000 against each
5 defendant for each act authorizing or engaging in or performing activities in
6 violation of the California Coastal Act, (b) a civil daily fine of up to \$15,000
7 per day against each defendant for each day from the commencement of the
8 violation of the California Coastal Act to the date each defendant complies
9 with the requirements under the California Coastal Act, and (c) exemplary
10 damages under Public Resources Code section 30822 in an amount
11 necessary to deter further violations. Civil fines under the California Coastal
12 Act will be deposited in the State's Violation Remediation Account of the
13 Coastal Conservancy Fund for projects to improve access to Lunada Bay
14 and other California beaches.

15 Plaintiffs also seek attorneys' fees, costs, and interest pursuant to Cal.
16 Civ. Code §§ 52.1 and 1021.5, 42 U.S.C. § 1983, and any other statute or
17 rule of law authorizing such an award.

18 At this early stage of discovery, however, Plaintiffs are unable to
19 provide a full computation of damages they will be seeking.

20 **D. Insurance**

21 Not applicable.

22 **E. Certification**

23 To the best of my knowledge, information, and belief, formed after an
24 inquiry that is reasonable under the circumstances, this disclosure is
25 complete and correct as of the time it is made.

26 ///

27 ///

28 ///

1 DATED: August 19, 2016

HANSON BRIDGETT LLP

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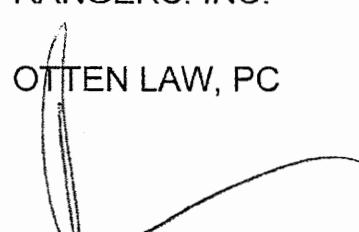
28

Bv: /s/ Kurt A. Franklin

KURT A. FRANKLIN
SAMANTHA D. WOLFF
CAROLINE ELIZABETH LEE
TYSON M. SHOWER
LANDON D. BAILEY
Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
REED, and COASTAL PROTECTION
RANGERS, INC.

OTTEN LAW, PC

Bv:


VICTOR OTTEN
KAVITA TEKCHANDANI
Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
REED, and COASTAL PROTECTION
RANGERS, INC.

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

I, Vic Otten, am employed in Torrance, California. I am over the age eighteen (18) years and am not a party to the within action. My business address is 3620 Pacific Coast Highway, Suite 100, Torrance, California 90505.

On August 19, 2016, I served the foregoing document(s) described as:

on the interested parties in this action by placing

the original

[x] a true and correct copy

thereof enclosed in a sealed envelope(s) addressed as follows:

See attached service list.

X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date is more than one day after date of deposit for mailing an affidavit.

(PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of the addressee.

(STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(FEDERAL) I declare that I am employed in the office of the member of the bar of this of this court at whose direction the service was made.

Executed on August 19, 2016, at Torrance, California

Vic Otten

PROOF OF SERVICE

<u>Attorney</u>	<u>Parties Represented</u>
Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26th Floor San Francisco, CA 94105	Plaintiffs CORY SPENCER, DIANA MILENA REED, and COASTAL PROTECTION RANGERS, INC.
J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Defendant ALAN JOHNSTON a/k/a JALIAN JOHNSTON
Edward E. Ward, Jr. LEWIS, BRISBOIS, BISGAARD, & SMITH 633 W. 5th Street, Suite 4000 Los Angeles, CA 90071	Defendant SANG LEE
Edwin J. Richards, Esq. Jacob Song, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 92614-8595	Defendants CITY OF PALOS VERDES and CHIEF OF POLICE JEFF KEPLEY
Richard Dieffenbach, Esq. VEATCH CARLSON, LLP 1055 Wilshire Boulevard, 11th Floor Los Angeles, CA 90017	Defendant BRANT BLAKEMAN
Peter T. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Defendant MICHAEL RAY PAPAYANS
Mark C. Fields Law Offices of Mark C. Fields, APC 333 South Hope Street, Thirty-Fifth Floor, Los Angeles, CA 90071	Angelo Ferrara and NF

EXHIBIT 2

VEATCH CARLSON, LLP

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444
Telephone (213) 381-2861 Facsimile (213) 383-6370

September 2, 2016

SENT VIA FACSIMILE AND EMAIL

Kurt A. Franklin, Esq.
Tyson Shower, Esq.
Samantha Wolff, Esq.
Caroline Lee, Esq.
HANSON BRIDGETT, LLP
425 Market Street, 26th Floor
San Francisco, CA 94105
Facsimile: (415) 541-9366
Facsimile: (916)442-2348

Victor Otten, Esq.
Kavita Tekchandani, Esq.
OTTEN LAW, PC
3620 Pacific Coast Hwy, #100
Torrance, CA 90505
Facsimile: (310) 347-4225

Re: **SPENCER, CORY v. LUNADA BAY BOYS**

Date of Loss : 04/14/16
Our File No. : 010-08018.

Dear Counsel:

We received plaintiffs' initial disclosures on August 24, 2016. I write to meet and confer and ask that plaintiffs supplement their initial disclosure without delay. As identified below it appears plaintiffs have not properly disclosed witnesses, the information that such witnesses may testify to, or a computation of damages.

Witnesses Disclosed Relating to Plaintiffs' Claims

Plaintiffs have alleged causes of action against the "Lunada Bay Boys" and individual defendants for violations of the Bane Act, for Public Nuisance, for Violations of the California Coastal Act, for Assault, for Battery and for Negligence. The claims under the California Coastal Act have now been dismissed. Plaintiffs allege a single cause of action against the City of Palos Verdes and the Chief of Police for an Equal Protection violation under 42 U.S.C. § 1983.

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Page 2

Plaintiffs have identified 116 witnesses likely to have discoverable information that they may use to support their claims. Of these witnesses approximately 104 are non party witnesses. Plaintiffs' witnesses 11-12 and 15-91 are all identified to relate the acts of the "Lunada Bay Boys" and individual defendants with witnesses 11, 12, 19 and 30 also having some interaction with the City of Palos Verdes. Plaintiffs' witnesses 92-101 are all identified to relate to declarations submitted to the Costal Commission. Plaintiffs' witnesses 102-116 all appear to be police officers that made a report regarding certain incidents, many which appear to predate the applicable statute of limitations.

In plaintiffs' complaint they allege acts that have been occurring since the 1970s that allegedly give rise to the cause of actions asserted. (Complaint at ¶ 18.) There are various statutes of limitations that apply to plaintiffs' claims of which the most senior is 3 years. (California Code of Civil Procedure Sections 335.1, 338(a), 338(b), 343, 340 and California Public Resources Code Section 30805.5) The complaint was filed on March 29, 2016 thus the only relevant information would be that relating to any acts or omissions from March 29, 2013 until present. Any witnesses that do not relate to information that is within the statute of limitations applicable to plaintiffs' causes of action should be removed.

As you are aware plaintiffs at the scheduling conference stipulated that the Costal Act Claims are dismissed by stipulating that the Court's order of July 7, 2016 applied to all defendants. Any witnesses that only relate to violations of the Costal Act Claims should be removed.

We desire to depose only the pertinent relevant witnesses. In order to do so witnesses who have information that only applies to causes of action that have been dismissed and that do not have information relating to actionable claims within the statute of limitation should be removed.

Disclosure of Witness Contact Information

The parties are required to disclose certain information related to witnesses with their initial disclosure. Rule 26 provides the following should be disclosed:

(i) the name and, if known, the address and telephone number of each individual likely to have discoverable information--along with the subjects of that information--that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;

(F.R.C.P., Rule 26(a)(1)(A)(i).)

Plaintiffs have provided very limited information for witnesses to be contacted or subpoenaed. Witnesses listed numerically as 55-67, 71-73, 77, 81-82, 84-86, and 88-89 all have their contact information disclosed as being "*can be contacted through counsel.*" While we appreciate that non parties may be contacted through an unknown "counsel" we still desire to have their contact information.

September 2, 2016

Page 3

Please supplement the disclosures and provide all contact information for witnesses listed numerically as 55-67, 71-73, 77, 81-82, 84-86, and 88-89 including their addresses and telephone numbers. For any person that is represented by counsel please inform us who the counsel is and provide the counsel's contact information. If any of plaintiffs' counsel happens to represent such persons then please forward us a letter of representation for any such persons without delay.

Disclosure of the Subject Matter of Information Discoverable from Witnesses

Plaintiffs are required to not only disclose witness who may have information supporting a party's case but also the subject matter of the discoverable information. (FRCP, Rule 26(a)(1)(A)(i).) Of the 104 non party witnesses listed by plaintiffs the disclosed subject matter of the information the witnesses have that is discoverable is identified by plaintiffs in the following manner:

- “on the allegations set forth in the complaint related to Defendant Lunada Bay Boys and Individual Members of the Lunada Bay Boys.” (Witnesses 16-17, 20- 29, 31-54, 56-91.)
- “on the allegations set forth in the Complaint related to Defendant City of Palos Verdes Estates, Defendant Lunada Bay Boys, and Individual Members of the Lunada Bay Boys.” (Witnesses 11 and 12.)
- “on the allegations set forth in the Complaint related to Defendant City of Palos Verdes Estates, Defendant Lunada Bay Boys, and Individual Members of the Lunada Bay Boys and communications with the Defendant City of Palos Verdes Estates. (Witnesses 19 and 30.)
- “on the subjects set forth in the complaint, to which he was a percipient witness.” (Witnesses 55.)
- “on the subject of the declaration submitted to the California Costal Commission regarding trail access.” (Witnesses 92-101.)
- “on the subject regarding incident report number...” (Witnesses 102-116).

It is obvious that the identified persons support allegations in the complaint merely through their identification. The subject matter of the discoverable information the specific witnesses may have though is not disclosed in any way regarding Witnesses 11-12 and 15-91. The only known limits on these Witnesses testimony are they will not testify regarding allegations against the City (with the exception of Witnesses 11, 12, 19, and 30). Considering there is only one cause of action against the City, that is primarily based on the acts of “Lunada Bay Boys,” this is really not much more than saying they support plaintiffs’ claims.

[O]ne of the obvious purposes of the initial disclosure rule is to provide each party with enough information to make an informed decision as to whether they want to incur the substantial expense of deposing a disclosed witness or engaging in other types of discovery to determine the specifics of that witness's knowledge about the case.

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(Moore v. Deer Valley Trucking, Inc. (D. Idaho, Oct. 2, 2014, No. 4:13-CV-00046-BLW) 2014 WL 4956170, at *2.) There is no way any individual party can distinguish between Witnesses 11-12 and 15-91 (77 total witnesses) who have information that relates to claims *made against a particular party* versus the other parties, or who a particular party may desire to depose based on the allegations made against that particular party.

For example it is unknown what witnesses may support an assault or battery claim against any particular defendant. This information may be very relevant for one defendant in addressing the actions of themselves *or others* in the defense of such claims. It would seem logical that not all 77 witnesses have information regarding all 10 defendants assaulting and battering someone in the past two years.

The purpose of the initial disclosures rule is not fulfilled by plaintiffs' current disclosure regarding the subject of the discoverable information the witnesses may have. In light of the volume of witnesses disclosed, the number of causes of action alleged, plaintiffs' contentions that certain acts started in the 1970s and continue today, plaintiffs' contention that 12 defendants be limited to 15 total depositions collectively, and the extreme nature of the relief plaintiffs seek *it appears plaintiffs are directly refuting the purpose of the initial disclosure rule in order to prejudice the defense of plaintiffs claims.*

Plaintiffs' current disclosures would cause defendants to have no idea how to prioritize the depositions of the 77 people who may offer information related to any particular defendant. The vagueness of the subject matter the witnesses may testify to coupled with the vagueness of the complaint and plaintiffs' current position that defendants be limited to 15 depositions further buttresses the need for a more substantive disclosure.

As you should be aware we will seek exclusion of any witnesses from testifying or offering evidence related to subject matter that plaintiffs have not disclosed. (See Commonwealth Capital Corp. v. City of Tempe (D. Ariz., Apr. 7, 2011, No. 2:09-CV-00274 JWS) 2011 WL 1325140, at *1 (Rule 37(c)(1) functions to preclude both witnesses and information).) Plaintiffs should be cognizant of this remedy in supplementing their disclosures.

At this time we ask plaintiffs to supplement all witness disclosures by minimally providing information regarding the subject matter the witness may testify to that includes any causes of action it relates to, the actual named defendants it relates to, and other information related to the subject matter the witness will testify to as plaintiffs believe it pertains to their claims. We expect that plaintiffs will be willing to be bound by any further disclosure and the exclusion of any information not affirmatively disclosed.

Computation of Damages

The parties are required to disclose certain information related to the computation of damages with their initial disclosure. Rule 26 provides the following should be disclosed:

(iii) a computation of each category of damages claimed by the disclosing party--who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each

September 2, 2016

Page 5

computation is based, including materials bearing on the nature and extent of injuries suffered;

(F.R.C.P., Rule 26(a)(1)(A)(iii).)

Plaintiffs' computation of damages is in substance no more than reflection of their prayer for relief in the complaint. Not one allegation of damages is made to any particular defendant. As indicated before plaintiffs have made many allegations that may apply to different defendants in this case.

Plaintiff should provide its assessment of damages in light of the information currently available to it in sufficient detail so as to enable each of the multiple Defendants in this case to understand the contours of its potential exposure and make informed decisions as to settlement and discovery.

(Frontline Medical Associates, Inc. v. Coventry Health Care (C.D. Cal. 2009) 263 F.R.D. 567, 569.)

Plaintiff should be able to offer some computation of damages under each cause of action as to each separate defendant. Just like the disclosure of witnesses plaintiffs should only be addressing what relates the damages compensable within the statute of limitations for plaintiffs' claims that are still present in the case.

For example this should include those penalties for alleged violations of the Bane Act as to each named defendant. This should be relatively simple by taking the number of alleged violations and multiplying it by the statutory penalty. (See Complaint – Relief, ¶ 16.) Any known "special damages" should also be disclosed as they pertain to any particular defendant. (Id., ¶ 10.)

Additionally the disclosures should now eliminate any penalties or damages sought under the California Costal Act.

* * *

Please be advised I have discussed the substance of this correspondence with all defense counsel who represent the 10 individual defendants (those other than the City and Chief of Police) with the exception of Mr. Carey. We are all in agreement that plaintiffs should supplement their disclosures based on the issues presented in this correspondence

If this dispute cannot be resolved we will be forced to move the Court to compel plaintiffs to comply with Rule 26(a)(1). Resolution of this dispute will also further the respective parties position regarding discovery and proposing modifications to the discovery rules as it applies to this case, which where not modified by the scheduling order despite all parties desire for some modifications. It will also help all parties to efficiently prepare for trial, particularly in light of the Court indicating each side will only be provide 12 ½ hours to conduct the trial.

September 2, 2016
Page 6

Please advise us if plaintiffs are willing to supplement their initial disclosures in accord with the issues identified in this correspondence. If so, please inform us the time frame you propose for supplemental disclosures to be made within the next two weeks. If plaintiffs are unwilling to supplement their responses please provide me your availability in the next 10 days in order to comply with Local Rule 37-1 for a telephonic or in office meeting.

Very truly yours,

VEATCH CARLSON



JOHN P. WORGUL

JPW:adb

cc: All Defense Counsel [See Attached Service List]

SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

2	Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26 th Floor San Francisco, CA 94105	Attorneys for PLAINTIFFS Telephone: (415) 442-3200 Facsimile: (415) 541-9366 Email: kfranklin@hansonbridgett.com Email: swolff@hansonbridgett.com Email: clee@hansonbridgett.com
7	Tyson M. Shower, Esq. Landon D. Bailey, Esq. HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	Attorneys for PLAINTIFFS Telephone: (916) 442-3333 Facsimile: (916) 442-2348 Email: tshower@hansonbridgett.com
10	Victor Otten, Esq. Kavita Tekchandani, Esq. OTTEN LAW PC 3620 Pacific Coast Highway, #100 Torrance, CA 90505	Attorneys for PLAINTIFFS Telephone: (310) 378-8533 Facsimile: (310) 347-4225 Email: vic@ottenlawpc.com Email: kavita@ottenlawpc.com
14	Edwin J. Richards, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 992614-8595	Attorneys for Defendants CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLY Telephone: (949) 417-0999 Facsimile: (949) 417-5394 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
19	J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant ALAN JOHNSTON aka JALIAN JOHNSTON Telephone: (310) 526-2237 Facsimile: (310) 526-2237 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
25	Peter R. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant MICHAEL RAY PAPAYANS Telephone: (310) 272-5353 Facsimile: (213) 477-2137 Email: peter@hblwfir.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Email: fields@markfieldslaw.com
5	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
10	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tara Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com Email: Tera.Lutz@lewisbrisbois.com
16	Laura Bell, Esq. William Lock, Esq. BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd., Suite 110 Woodland Hills, CA 91367	Attorney for Defendants, FRANK FERRARA and CHARLIE FERRARA Telephone: (818) 712-9800 Facsimile: (818) 712-9900 Email: lbell@bremerwhyte.com Email: wlocke@bremerwhyte.com

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EXHIBIT 3

Richard P. Dieffenbach

From: Victor Otten [vic@ottenlawpc.com]
Sent: Wednesday, September 07, 2016 1:52 PM
To: John Worgul; Rob Mackey; Peter Crossin; Richard P. Dieffenbach
Cc: Song, Jacob; Ed.Richards@kutakrock.com; Antoinette.Hewitt@KutakRock.com; Rebecca.Wilson@kutakrock.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; fields@Markfieldslaw.com; tphillips@thephillipsfirm.com; amiller@thephillipsfirm.com; fields@Markfieldslaw.com; peter@havenlaw.com; Pat Carey; pat@southbaydefenselawyer.com; Dana.Fox@lewisbrisbois.com; Edward.Ward@lewisbrisbois.com; Eric.Kizirian@lewisbrisbois.com; Tera.Lutz@lewisbrisbois.com; Kurt A. Franklin; Samantha Wolff
Subject: initial disclosures

Dear John,

This is in response to your September 2, 2016 letter regarding initial disclosures. The Kutak Rock law firm scheduled a meet-and-confer over initial disclosures last week. I've already had a long call with Jacob Song of this firm and we planned to follow up on Friday. It would be most efficient if you, and any other defendant coordinated on this effort. Participating in this phone call may answer some of your questions.

As to your letter and the topics you hope to discuss, while we disagree with your assertions, it would be helpful if you provided authority for certain of your requests: (1) asking that witnesses be removed based on (a) the statute of limitation (also, you may recall from your motion to dismiss and the Court's order on that motion, that Plaintiffs assert a continuing violation and that there is a long history of the Lunada Bay Boys and individual defendants unlawfully excluding non-local beachgoers from Lunada Bay - your effort is best directed at a motion in limine before trial) and (b) the Coastal Act (understand that this claim, while now in State Court, goes beyond construction of the Rock Fort and improvement of the trails, and includes a theory that the Lunada Bay Boys efforts to dissuade beachgoers from using Lunada Bay is a Coastal Act violation); (2) the damage computation in initial disclosures at this early stage is deficient - especially when it is a class action and damages are likely to be formulaic and incidental to equitable relief in this matter.

Of course, as Plaintiffs learn more they will supplement their initial disclosures as required by the FRCP. Indeed, we're already planning to supplement the Plaintiffs' initial disclosures.

Sincerely,

Victor Otten, Esq.

OTTEN LAW, PC
ATTORNEYS

3620 Pacific Coast Hwy #100 | Torrance, California 90505
P (310) 378-8533 | F (310) 347-4225 | E vic@ottenlawpc.com | W www.ottenlawpc.com

This e-mail is confidential and is legally privileged. If you have received it in error, you are on notice of its status. Please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. To do so could violate state and Federal privacy laws. Thank you for your cooperation. Please contact Rosa at 310-378-8533 if you need assistance.

Please consider the environment before printing this e-mail message.

EXHIBIT 4

VEATCH C_ARLSON, LLP

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444
Telephone (213) 381-2861 Facsimile (213) 383-6370

September 9, 2016

SENT VIA FACSIMILE AND EMAIL

Kurt A. Franklin, Esq.
Tyson Shower, Esq.
Samantha Wolff, Esq.
Caroline Lee, Esq.
HANSON BRIDGETT, LLP
425 Market Street, 26th Floor
San Francisco, CA 94105
Facsimile: (415) 541-9366
Facsimile: (916)442-2348

Victor Otten, Esq.
Kavita Tekchandani, Esq.
OTTEN LAW, PC
3620 Pacific Coast Hwy, #100
Torrance, CA 90505
Facsimile: (310) 347-4225

Re: **SPENCER, CORY v. LUNADA BAY BOYS**
Date of Loss : 04/14/16
Our File No. : 010-08018.

Dear Counsel:

We are in receipt of Mr. Otten's September 7, 2016 email. This letter is sent in the hopes of resolving the issues in our September 2, 2016 correspondence related to plaintiff's initial disclosures. Please direct any response to the undersigned.

To be clear, we represent Mr. Blakeman, and our concerns relate to allegations, witnesses, documents, and evidence which Plaintiffs are required to disclose relating to Brent Blakeman. The proposal that we coordinate with the City is welcomed, and we continue to work with all defense counsel to coordinate where possible. Indeed we had proposed use of common defense interrogatories as a means for making this litigation more efficient, but Plaintiffs have thus far rejected that proposal.

September 2, 2016

Page 2

The issues relating to Mr. Blakeman are the issues on which we are entitled to have full disclosure. Those issues are the ones addressed in Mr. Worgul's September 2, 2016 letter. Those are the issues for which we will meet and confer.

Mr. Otten has failed to provide us any times or dates to meet and confer in compliance Local Rule 37-1 despite our request in Mr. Worgul's September 2, 2016 correspondence. We have received no other communication from any of plaintiffs' other counsel regarding this request. Unless you inform me otherwise in writing I must assume none of plaintiffs' counsel intends to comply with the Local Rule.

Mr. Otten asks for authority for the contentions made in the September 2, 2016 letter. The authorities are set forth in the letter. Please review the citations in the letter to the Federal Rules and Federal Case Law. I attach a copy for your convenience.

Please also note that we have no position on "how" plaintiffs must disclose things in their initial disclosures, rather, our position is that "what" plaintiffs must disclose is clear, and is not met in the disclosures provided. Our position is that the current disclosures are wholly inadequate regarding the issues presented in the September 2, 2016 correspondence. The vague material provided does not meet the Plaintiffs' duties for initial disclosure of information. Failure to provide adequate disclosure prejudices Mr. Blakeman from providing a defense of the case, selecting witnesses to depose, and causes unnecessary burdens on Mr. Blakeman and his counsel, in derogation of the purpose of the initial disclosure requirements. Exclusion of known but undisclosed information is the remedy which we will ask the court to enforce absent substantial compliance with the disclosure requirements.

If plaintiffs do not comply with the Local Rules our next option is to inform the Court and Magistrate upon the filing of a motion addressing this problem. Plaintiffs' dilatory tactics are greatly prejudicing Mr. Blakeman as the date for class certification is very quickly approaching, as are other events. We will seek the Magistrate's intervention with haste if plaintiffs do not resolve this dispute.

I ask that you comply with the Local Rule so that such a meeting may be held in order to avoid the need for motions. I have 1:30 p.m. on either Tuesday September 13 or Wednesday September 14 open. Please contact me if you believe this is possible.

Very truly yours,

VEATCH CARLSON



RICHARD P. DIEFFENBACH

RPD

cc: All Defense Counsel [See Attached Service List]

EXHIBIT 5

John Worgul

From: Victor Otten [vic@ottenlawpc.com]
Sent: Wednesday, September 28, 2016 1:07 PM
To: Richard P. Dieffenbach
Cc: Mark C. Fields; Kurt A. Franklin; Tyson M. Shower; Samantha Wolff; Caroline Lee; Thomas M. Phillips; Richards, Edwin J.; pat@southbaydefenselawyer.com; pat@patcareylaw.com; Edward.Ward@lewisbrisbois.com; John Worgul; peter@havenlaw.com; Aaron Miller; Song, Jacob; Dana.Fox@lewisbrisbois.com; lbell@bremerwhyte.com; Rob Mackey; Cooper, Robert S.
Subject: RE: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

Hi Richard,

Sorry for the delay. I will make sure you have the supplemental responses emailed and mailed to you by tomorrow at the latest. They actually contain new information that I received over the last couple of days.

From: Richard P. Dieffenbach [mailto:RDieffenbach@veatchfirm.com]
Sent: Wednesday, September 28, 2016 10:46 AM
To: Victor Otten <vic@ottenlawpc.com>
Cc: Mark C. Fields <fields@MARKFIELDSLAW.COM>; Kurt A. Franklin <kfranklin@hansonbridgett.com>; Tyson M. Shower <TShower@hansonbridgett.com>; Samantha Wolff <SWolff@hansonbridgett.com>; Caroline Lee <CLee@hansonbridgett.com>; Thomas M. Phillips <tphillips@thephillipsfirm.com>; Richards, Edwin J. <Ed.Richards@kutakrock.com>; pat@southbaydefenselawyer.com; pat@patcareylaw.com; Edward.Ward@lewisbrisbois.com; John Worgul <JWorgul@veatchfirm.com>; peter@havenlaw.com; Aaron Miller <amiller@thephillipsfirm.com>; Song, Jacob <Jacob.Song@KutakRock.com>; Dana.Fox@lewisbrisbois.com; lbell@bremerwhyte.com; Rob Mackey <RMackey@veatchfirm.com>; Cooper, Robert S. <rcooper@buchalter.com>
Subject: RE: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

Victor

In our meet and confer session I believe you said you would have further initial disclosures to us by last Friday, September 23. We have not received anything and ask that you please advise as to status of those disclosures. Thanks.

Richard Dieffenbach
Veatch Carlson LLP
213-381-2861

From: Victor Otten [mailto:vic@ottenlawpc.com]
Sent: Monday, September 12, 2016 7:01 PM
To: Richard P. Dieffenbach
Cc: Mark C. Fields; Kurt A. Franklin; Tyson M. Shower; Samantha Wolff; Caroline Lee; Thomas M. Phillips; Richards, Edwin J.; pat@southbaydefenselawyer.com; pat@patcareylaw.com; Edward.Ward@lewisbrisbois.com; John Worgul; peter@havenlaw.com; Aaron Miller; Song, Jacob; Dana.Fox@lewisbrisbois.com; lbell@bremerwhyte.com; Rob Mackey
Subject: RE: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

Richard,

As I am preparing for trial, I do not have time to respond in detail to your email except to state that I can be available any time after 5 on September 14 to participate in a meet and confer by telephone.

From: Richard P. Dieffenbach [mailto:RDieffenbach@veatchfirm.com]
Sent: Monday, September 12, 2016 4:16 PM
To: Victor Otten <vic@ottenlawpc.com>
Cc: Mark C. Fields <fields@MARKFIELDLAW.COM>; Kurt A. Franklin <kfranklin@hansonbridgett.com>; Tyson M. Shower <TShower@hansonbridgett.com>; Samantha Wolff <SWolff@hansonbridgett.com>; Caroline Lee <CLee@hansonbridgett.com>; Thomas M. Phillips <tphillips@thephilipsfirm.com>; Richards, Edwin J. <Ed.Richards@kutakrock.com>; pat@southbaydefenselawyer.com; pat@patcareylaw.com; Edward.Ward@lewisbrisbois.com; John Worgul <JWorgul@veatchfirm.com>; peter@havenlaw.com; Aaron Miller <camiller@thephilipsfirm.com>; Song, Jacob <Jacob.Song@KutakRock.com>; Dana.Fox@lewisbrisbois.com; lbell@bremerwhyte.com; Rob Mackey <RMackey@veatchfirm.com>
Subject: RE: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

Mr. Otten:

The governing local rule is 37-1.

**F.R.Civ.P. 37. FAILURE TO MAKE DISCLOSURE OR COOPERATE IN
DISCOVERY; SANCTIONS**

L.R.37-1 Pre-Filing Conference of Counsel.¹ Prior to the filing of any motion relating to discovery pursuant to F.R.Civ.P. 26-37, counsel for the parties shall confer in a good faith effort to eliminate the necessity for hearing the motion or to eliminate as many of the disputes as possible. It shall be the responsibility of counsel for the moving party to arrange for this conference. If both counsel are located within the same county of the Central District, the conference shall take place in person at the office of the moving party's counsel, unless the parties agree to meet someplace else. If both counsel are not located within the same county of the Central District, the conference may take place telephonically. Unless relieved by written order of the Court upon good cause shown, counsel for the opposing party shall confer with counsel for the moving party within ten (10) days after the moving party serves a letter requesting such conference. The moving party's letter shall identify each issue and/or discovery request in dispute, shall state briefly with respect to each such issue/request the moving party's position (and provide any legal authority which the moving party believes is dispositive of the dispute as to that issue/request), and specify the terms of the discovery order to be sought.

+

A few points:

1. We (on behalf of Brent Blakeman) would be the moving party under Local Rule 37-1 relating to moving for further disclosures. Although we welcome participation by counsel for other defendants where the issues are aligned, whether there are issues for other defendants is not the point of our meet and confer or letter or our motion.
2. **Wednesday, not Tuesday**, is the date if we are meeting in the evening after your trial. Tuesday I can

meet at 1:30 p.m. but not in the evening.

3. Despite being invited to do so, Plaintiffs counsel provided no proposed dates, times or locations for the requested meeting in response to the September 2 letter, resulting in our office making the proposals. We have been seeking your attendance for a Rule 37-1 conference since September 2, 2016. Despite the local rule requiring an in face meeting you have refused to provide us any dates for this to occur at our office. You have also insisted it occur at your office despite our offer to hold it after hours for your convenience. Notably none of your colleagues who represent plaintiff from Hanson Bridget have deigned to respond to our requests despite it also being directed to them as the plaintiffs' counsel. Their participation would allow for a telephonic conference under the local rule with them. Surely if you are in trial your co-counsel who are at a firm of more 150 attorneys could find someone to be available at least for a telephonic conference on these very simple issues.
4. By tomorrow ten days will have passed since a meeting was required under Rule 37-1. We have made overtures to have this meeting occur within or near this time frame and fulfilled our obligations under the local rule. We were willing to have a conference take place later than ten days. We have not received a written response related to the substance of our contentions in our letter or been informed when, if at all, plaintiffs will supplement their disclosures other than your contention they will be supplemented. We must now consider our efforts to comply with the local rule exhausted and will inform the magistrate and the Court in our motion and all of plaintiffs' counsels' failure to confer in good faith within the required time frame.
5. As we sincerely desired to avoid the filing of motions we are agreeable to scheduling a conference call but most note that this does not comply with the local rule despite our efforts to have this occur. Please let us know if a telephone conference can occur tomorrow at 1:30 p.m. or September 14 at a time after your trial day concludes. If a telephone conference cannot be done we will assume that a motion will be required to address the issues presented in our September 2, 2016.

Richard Dieffenbach
Veatch Carlson LLP

From: Victor Otten [mailto:vic@ottenlawpc.com]
Sent: Monday, September 12, 2016 2:35 PM
To: Richard P. Dieffenbach
Cc: Mark C. Fields; Kurt A. Franklin; Tyson M. Shower; Samantha Wolff; Caroline Lee; Thomas M. Phillips; Richards, Edwin J.; pat@southbaydefenselawyer.com; pat@patcareylaw.com; Edward.Ward@lewisbrisbois.com; John Worgul; peter@havenlaw.com; Aaron Miller; Song, Jacob; Dana.Fox@lewisbrisbois.com; lbell@bremerwhyte.com; Rob Mackey
Subject: Re: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

As I mentioned, I am in trial so we can meet in my office. I will order pizza for everyone. See you tomorrow.

Sent from my iPhone

On Sep 12, 2016, at 2:30 PM, Richard P. Dieffenbach <RDieffenbach@veatchfirm.com> wrote:

Mr. Otten

Following up on our emails over the weekend, I think the better solution is to comply with the Local Rule and meet, face to face, in my office.

So in accordance with the Local Rules we will meet in my office at 1055 Wilshire, 11th floor, Wednesday September 14 at 6 p.m. The purpose is to meet and confer as to Plaintiff's initial disclosure shortcomings relative to claims against Mr. Blakeman, and if any other defendants have issues as to their respective clients they are welcome to attend to discuss those as well.

Any attendees please let me know so I can let security be aware. Thanks all.

From: Victor Otten [mailto:vic@ottenlawpc.com]
Sent: Friday, September 09, 2016 9:17 PM
To: Richard P. Dieffenbach
Cc: Mark C. Fields; Kurt A. Franklin; Tyson M. Shower; Samantha Wolff; Caroline Lee; Thomas M. Phillips; Richards, Edwin J.; pat@southbaydefenselawyer.com; pat@patcareylaw.com; Edward.Ward@lewisbrisbois.com; John Worgul; peter@havenlaw.com; Aaron Miller; Song, Jacob; Dana.Fox@lewisbrisbois.com; Ibell@bremerwhyte.com
Subject: RE: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

As my trial is in Torrance, lets meet at my office. I will order pizza.

From: Richard P. Dieffenbach [mailto:RDieffenbach@veatchfirm.com]
Sent: Friday, September 9, 2016 8:48 PM
To: Victor Otten <vic@ottenlawpc.com>
Cc: Mark C. Fields <fields@MARKFIELDSLAW.COM>; Kurt A. Franklin <kfranklin@hansonbridgett.com>; Tyson M. Shower <TShower@hansonbridgett.com>; Samantha Wolff <SWolff@hansonbridgett.com>; Caroline Lee <CLee@hansonbridgett.com>; Thomas M. Phillips <tphillips@thephillipsfirm.com>; Richards, Edwin J. <Ed.Richards@kutakrock.com>; pat@southbaydefenselawyer.com; pat@patcareylaw.com; Edward.Ward@lewisbrisbois.com; John Worgul <JWorgul@veatchfirm.com>; peter@havenlaw.com; Aaron Miller <amiller@thephillipsfirm.com>; Song, Jacob <Jacob.Song@KutakRock.com>; Dana.Fox@lewisbrisbois.com; Ibell@bremerwhyte.com
Subject: Re: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

Working on the Depo date for my client but we will need the required disclosures to be provided now. I can meet in my office Wednesday at 5 pm September 14 or you can just provide the further disclosures by then. Thank you.

Sent from my iPhone

On Sep 9, 2016, at 8:40 PM, Victor Otten <vic@ottenlawpc.com> wrote:

I do 2 to 3 jury trials a year. I am perfectly capable of getting on the phone with you and discussing this during my trial prep. In the alternative, perhaps we can pick a time next week after court?

Also, can you provide the availability for the depositions? To date, no one has responded.

From: Richard P. Dieffenbach [mailto:RDieffenbach@veatchfirm.com]
Sent: Friday, September 09, 2016 8:35 PM
To: Victor Otten <vic@ottenlawpc.com>
Cc: Mark C. Fields <fields@MARKFIELDSLAW.COM>; Kurt A. Franklin <kfranklin@hansonbridgett.com>; Tyson M. Shower <TShower@hansonbridgett.com>; Samantha Wolff <SWolff@hansonbridgett.com>; Caroline Lee <CLee@hansonbridgett.com>; Thomas M. Phillips <tphillips@thephillipsfirm.com>; Richards, Edwin J. <Ed.Richards@kutakrock.com>; pat@southbaydefenselawyer.com; pat@patcareylaw.com;

Edward.Ward@lewisbrisbois.com; John Worgul <JWorgul@veatchfirm.com>;
peter@havenlaw.com; Aaron Miller <amiller@thephillipsfirm.com>; Song, Jacob
<Jacob.Song@KutakRock.com>; Dana.Fox@lewisbrisbois.com;
Ibell@bremerwhyte.com

Subject: Re: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

We do not want to disrupt your trial prep. Simply making the proper disclosures will suffice. Your co-counsel can do that. Thank you.

Sent from my iPhone

On Sep 9, 2016, at 6:01 PM, Victor Otten <vic@ottenlawpc.com> wrote:

I start a jury trial Tuesday which will go at least 5 days so the times proposed will not work.

From: Mark C. Fields [mailto:fields@MARKFIELDSLAW.COM]
Sent: Friday, September 9, 2016 4:30 PM
To: Richard P. Dieffenbach <RDieffenbach@veatchfirm.com>; Victor Otten <vic@ottenlawpc.com>; Kurt A. Franklin <kfranklin@hansonbridgett.com>; Tyson M. Shower <TShower@hansonbridgett.com>; Samantha Wolff <SWolff@hansonbridgett.com>; Caroline Lee <CLee@hansonbridgett.com>
Cc: Thomas M. Phillips <tphillips@thephillipsfirm.com>; Richards, Edwin J. <Ed.Richards@kutakrock.com>; pat@southbaydefenselawyer.com; pat@patcareylaw.com; Edward.Ward@lewisbrisbois.com; John Worgul <JWorgul@veatchfirm.com>; peter@havenlaw.com; Aaron Miller <amiller@thephillipsfirm.com>; Song, Jacob <Jacob.Song@KutakRock.com>; Dana.Fox@lewisbrisbois.com;
Ibell@bremerwhyte.com
Subject: RE: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

Dear Plaintiffs' counsel and Mr. Blakeman's counsel

The concerns expressed by the Veatch Carlson firm as to Individual Defendant Brant Blakeman are equally applicable to my clients: Angelo Ferrara and N.F. Rather than engage in a separate meet and confer process, my suggestion is that I simply join in the process that the Veatch Carlson firm initiated with its September 2 letter and as supplemented by today's letter.

I have a telephonic court appearance next Tuesday at 1:30, but my schedule is open on Wednesday, September 14. I would like to participate in a telephonic meet and confer session on September 14 on behalf of my clients.

I request that Plaintiffs' counsel and Mr. Blakeman's counsel let me know if that is acceptable to them.

Regards, Mark Fields

Mark C. Fields
Law Offices of Mark C. Fields, APC
333 South Hope Street, Thirty-Fifth Floor, Los Angeles, CA
90071
Voice: 213.617.5225 Fax: 213.629.4520
E-Mail: fields@markfieldslaw.com
Skype: markfields777

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From: Richard P. Dieffenbach [<mailto:RDieffenbach@veatchfirm.com>]
Sent: Friday, September 09, 2016 4:15 PM
To: vic@ottenlawpc.com; Kurt A. Franklin
kfranklin@hansonbridgett.com; Tyson M. Shower
TShower@hansonbridgett.com; Samantha Wolff
SWolff@hansonbridgett.com; Caroline Lee
CLee@hansonbridgett.com
Cc: Mark C. Fields <fields@MARKFIELDSLAW.COM>; Thomas M. Phillips
tphillips@thephillipsfirm.com; Richards, Edwin J.
Ed.Richards@kutakrock.com; pat@southbaydefenselawyer.com;
pat@patcarey.com; Edward.Ward@lewisbrisbois.com; Richard P.
Dieffenbach <RDieffenbach@veatchfirm.com>; John Worgul
JWorgul@veatchfirm.com; peter@havenlaw.com; Aaron Miller
amiller@thephillipsfirm.com; Song, Jacob
Jacob.Song@KutakRock.com; Dana.Fox@lewisbrisbois.com;
Ibell@bremerwhyte.com
Subject: 3005978020-1-3-3 Spencer v Lunada further meet and confer efforts

Dear counsel. Please see attached letter. Thank you.

Richard P. Dieffenbach, Esq.

Veatch Carlson, LLP
1055 Wilshire Blvd., 11th Floor
Los Angeles, CA 90017
(213) 381-2861 Office

(213) 383-6370 Fax
rdieffenbach@veatchfirm.com

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EXHIBIT 6

John Worgul

From: Victor Otten [vic@ottenlawpc.com]
Sent: Sunday, October 02, 2016 11:24 PM
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Subject: further disclosures

Attachments: PLTF Supp Disclosure KT Edits (Final).pdf

Please see attached.

Victor Otten, Esq.

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17 Attorneys for Plaintiffs
18 CORY SPENCER, DIANA MILENA
REED, and COASTAL PROTECTION
RANGERS, INC.

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
California non-profit public benefit
26 corporation.

CASE NO. 2:16-cv-02129-SJO (RAOx)

PLAINTIFFS' SUPPLEMENTAL DISCLOSURES

Plaintiffs

1
2 v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including but
not limited to SANG LEE, BRANT
BLAKEMAN, ALAN JOHNSTON
6 AKA JALIAN JOHNSTON,
MICHAEL RAE PAPAYANS,
ANGELO FERRARA, FRANK
8 FERRARA, CHARLIE FERRARA,
and N.F.; CITY OF PALOS
9 VERDES ESTATES; CHIEF OF
10 POLICE JEFF KEPLEY, in his
representative capacity; and DOES
11 1-10,

12 Defendants.

14

15 Plaintiffs CORY SPENCER, DIANA MILENA REED, and COASTAL
16 PROTECTION RANGERS, INC. (collectively, "Plaintiffs") make the following
17 supplemental initial disclosures pursuant to F.R.C.P. 26(a)(1). As permitted
18 under Rule 26(e)(1), Plaintiffs reserve the right to clarify, amend, modify or
furthrt supplement the information contained in these Supplemental
20 Disclosures if and when they obtain additional supplemental information. In
addition, Plaintiffs may rely on any persons or documents identified by any
22 party as part of their disclosures or during discovery.

23 Plaintiffs' Initial Disclosures are made without waiver of, or prejudice
24 to, any objections Plaintiffs may assert or have previously asserted.
25 Plaintiffs expressly reserve all objections, including, but not limited to:
26 (a) attorney-client privilege; (b) work-product doctrine; and (c) any other
27 applicable privilege or protection under federal or state law. Plaintiffs
28 reserve the right to retract any inadvertent disclosures of information or

1 documents that are protected by the attorney-client privilege, the work
2 product doctrine, or any other applicable protection.

3 Without waiving any objections, Plaintiffs make the following
4 disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil
5 Procedure:

6 **A. Witnesses**

7 Plaintiffs are in the process of identifying witnesses who are likely to
8 have discoverable information. However, at this early stage, Plaintiffs
9 identify the following person(s) they may use to support their claims:

- 10 1) Plaintiff class representative, Cory Spencer, who may be
11 reached via counsel for Plaintiffs, on the subjects set forth in
12 the Complaint, to which he was a percipient witness.
- 13 2) Plaintiff class representative, Diana Milena Reed, who may be
14 reached via counsel for Plaintiffs, on the subjects of set forth
15 in the Complaint, to which she was a percipient witness.
- 16 3) Defendant, Sang Lee, on the allegations set forth in the
17 Complaint related to Defendant Lunada Bay Boys and the
18 Individual Members of the Lunada Bay Boys.
- 19 4) Defendant, Brant Blakeman, on the allegations set forth in the
20 Complaint related to Defendant Lunada Bay Boys and the
21 Individual Members of the Lunada Bay Boys.
- 22 5) Defendant, Michael Rae Papayans, on the allegations set
23 forth in the Complaint related to Defendant Lunada Bay Boys
24 and the Individual Members of the Lunada Bay Boys.
- 25 6) Defendant, Angelo Ferrara, on the allegations set forth in the
26 Complaint related to Defendant Lunada Bay Boys and the
27 Individual Members of the Lunada Bay Boys.
- 28 7) Defendant, Charlie Ferrara, on the allegations set forth in the

Complaint related to Defendant Lunada Bay Boys and
Individual Members of the Lunada Bay Boys.

- 3) Defendant, N.F., on the allegations set forth in the Complaint
4 related to Defendant Lunada Bay Boys and Individual
5 Members of the Lunada Bay Boys.

6) Defendant Frank Ferrara, on the allegations set forth in the
7 Complaint related to Defendant Lunada Bay Boys and
8 Individual Members of the Lunada Bay Boys.

9) Defendant, Chief of Police, Jeff Kepley, on the allegations set
10 forth in the Complaint related to Defendant City of Palos
11 Verdes Estates, Defendant Lunada Bay Boys and Individual
12 Members of the Lunada Bay Boys.

13) Tim Browne, address unknown, on the allegations set forth in
14 the Complaint related to Defendant City of Palos Verdes
15 Estates, Defendant Lunada Bay Boys and Individual
16 Members of the Lunada Bay Boys.

17) Daniel Dreiling, contact information unknown, on the
18 allegations set forth in the Complaint related to Defendant
19 City of Palos Verdes Estates, Defendant Lunada Bay Boys
20 and Individual Members of the Lunada Bay Boys.

21) Defendant in the state court action, Los Angeles Superior
22 Court Case No. BC629596, David Melo, on the allegations set
23 forth in the Complaint related to Defendant Lunada Bay Boys
24 and Individual Members of the Lunada Bay Boys.

25) Defendant in the state court action, Los Angeles Superior
26 Court Case No. BC629596, Mark Griep, on the allegations set
27 forth in the Complaint related to Defendant Lunada Bay Boys
28 and Individual Members of the Lunada Bay Boys.

- 1 15) Peter Babros, 316 Via Pasqual, Redondo Beach, CA 90277,
2 on the allegations set forth in the Complaint related to
3 Defendant Lunada Bay Boys and Individual Members of the
4 Lunada Bay Boys. Plaintiffs are informed and believe that Mr.
5 Babros is a former resident of the City of Palos Verdes
6 Estates having graduated PV High School in 1988 and
7 maintains strong connections to the community. Plaintiffs
8 believe that Mr. Babros is a Lunada Bay Local and is being
9 listed as a potential percipient witness.
- 10 16) Cassidy Beukema, 2817 Palos Verdes Drive West, Palos
11 Verdes Estates, CA, on the allegations set forth in the
12 Complaint related to Defendant Lunada Bay Boys and
13 Individual Members of the Lunada Bay Boys. Plaintiffs are
14 informed and believe that Ms. Beukema is the step daughter
15 to Defendant Angelo Ferraro and step sister to defendant N.F.
16 Plaintiffs anticipate that this witness has information related to
17 (a) the inner workings of the Lunada Bay Boys and the
18 methods to keep non-locals from the beach, (b) illegal
19 activities at Lunada Bay, (c) the January 20, 2014 incident, at
20 a public surfing event at Lunada on Martin Luther King, Jr.
21 Day, where a Lunada Bay Boy had his face painted in black
22 makeup and wore a black Afro wig. Plaintiffs' list this witness
23 as a percipient witness.
- 24 17) Ron Bornstein, contact information unknown. Plaintiffs are
25 informed and believe that Mr. Bornstein is a longtime resident
26 of the City of Palos Verdes Estates. Plaintiffs are informed
27 and believe that Mr. Bornstein or "Borno" is a resident of the
28 City of Palos Verdes Estates having graduated PV High

1 School and maintains strong connections to the community.
2 Plaintiffs believe that Mr. Bornstein is a Lunada Bay Local and
3 is being listed as a potential percipient witness and possible
4 defendant.

5 18) Joel Milam, 30571 Rue De La Pzerre, Rancho Palos Verdes,
6 CA 90275, on the allegations set forth in the Complaint
7 related to Defendant Lunada Bay Boys and Individual
8 Members of the Lunada Bay Boys. Plaintiffs are informed and
9 believe that Mr. Milam was a former resident of the City of
10 Palos Verdes Estates having graduated PV High School and
11 maintains strong connections to the community. Plaintiffs
12 believe that Mr. Milam is a Lunada Bay Local and is being
13 listed as a potential percipient witness.

14 19) Charles Thomas Mowatt, 2337 Via Rivera, Palos Verdes
15 Peninsula, CA 90274-2725; (310) 375-6600, on the
16 allegations set forth in the Complaint related to Defendant
17 Lunada Bay Boys, Individual Members of the Lunada Bay
18 Boys and communications with Defendant City of Palos
19 Verdes Estates. Plaintiffs believe that Mr. Mowatt is a Lunada
20 Bay Local and is being listed as a potential percipient witness
21 and possible defendant.

22 20) James Reinhardt, contact information unknown. Plaintiffs are
23 informed and believe that Mr. Reinhardt is a longtime resident
24 of the City of Palos Verdes Estates having graduated from
25 Palos Verdes High School in 1978. Plaintiffs believe that Mr.
26 Reinhardt is a Lunada Bay Local and is being listed as a
27 potential percipient witness. Plaintiffs believe that Mr.
28 Reinhardt is a Lunada Bay Local and is being listed as a

- 1 potential percipient witness and possible defendant.
- 2 21) Fred Strater, contact information unknown, on the allegations
3 set forth in the Complaint related to Defendant Lunada Bay
4 Boys and the Individual Members of the Lunada Bay Boys.
5 Mr. Strater is a former resident of the City of Palos Verdes
6 Estates and maintains strong connections to the community.
7 Plaintiffs believe that Mr. Strater is a Lunada Bay Local.
8 Specifically, it is anticipated that Mr. Strater's testimony will
9 include but not be limited to the following: (a) information
10 regarding his former roommate, Charles Mowatt, as an
11 enforcer and one of the worst Lunada Bay Locals, (b)
12 information regarding the relationship between Michael S.
13 Papayans, Charles Mowatt and the people "running the bay,"
14 (c) tactics used to keep non-locals from coming to Lunada
15 Bay, and (d) other illegal activities.
- 16 22) Mark Bonney, contact information unknown, on the
17 allegations set forth in the Complaint related to Defendant
18 Lunada Bay Boys and the Individual Members of the Lunada
19 Bay Boys. Plaintiffs are informed and believe that Mr. Bonney
20 is a former resident of the City of Palos Verdes Estates and
21 graduate of PV High School and maintains strong
22 connections to the community. Plaintiffs are informed and
23 believe that Mr. Bonney has information regarding the
24 activities of the Lunada Bay Boys by comments made in
25 social media defending the actions of the Lunada Bay Locals.
26 Mr. Bonney is being listed as a potential percipient witness
27 and possible defendant.
- 28 23) David Hilton, a longtime resident of Palos Verdes Estates, on

the allegations set forth in the Complaint related to Defendant Lunada Bay Boys, the Individual Members of the Lunada Bay Boys and communications with Defendant City of Palos Verdes Estates. Plaintiffs are informed and believe that this witness is a long time surfer of Lunada Bay. It is anticipated that this percipient witness has information regarding: (a) January 22, 1995 incident where a surfer from Brazil (documented in Incident Report 95-0062) went to Lunada Bay to surf and was confronted by David Hilton and several other Bay Boys who made threats of violence against him causing him to reasonably believe that if he exercised his right surf at a public beach, Hilton and/or the Lunada Bay Boys would commit violence against him or his car and that Hilton and/or the Lunada Bay Boys with him had the apparent ability to carry out the threats, (b) the inner workings of the Lunada Bay Boys and the methods to keep non-locals from the beach, (c) illegal activities at Lunada Bay. Mr. Hilton is being listed as a potential percipient witness and possible defendant.

1 and possible defendant.

2 25) Kelly Logan, 714 Angelus PI, Venus, CA 90291-4919, on the
3 allegations set forth in the Complaint related to Defendant
4 Lunada Bay Boys and the Individual Members of the Lunada
5 Bay Boys. Plaintiffs are informed and believe that Mr. Logan
6 is a former resident of the City of Palos Verdes Estates but
7 maintains strong connections to the community. Plaintiffs are
8 informed and believe that Mr. Logan was involved in the
9 assault by Peter McCollum against Geoff Hagins and several
10 others reflected in Incident Report 95-0381. Plaintiffs believe
11 that Mr. Logan is a Lunada Bay Local and is being listed as a
12 potential percipient witness and possible defendant.

13 26) John Rall, contact information unknown, on the allegations set
14 forth in the Complaint related to Defendant Lunada Bay Boys
15 and the Individual Members of the Lunada Bay Boys.
16 Plaintiffs are informed and believe that Mr. Rall graduated PV
17 High School 1991 and maintains strong connections to the
18 community. Plaintiffs believe that Mr. Rall is a Lunada Bay
19 Local and is being listed as a potential percipient witness and
20 possible defendant.

21 27) Michael S. Papayans, aka "Paps," a longtime resident of
22 Palos Verdes Estates, on the allegations set forth in the
23 Complaint related to Defendant Lunada Bay Boys, the
24 Individual Members of the Lunada Bay Boys and
25 communications with Defendant City of Palos Verdes Estates.
26 Plaintiffs are informed and believe that he is the uncle of
27 Defendant Michael Rae Papayans. This witness surfs Lunada
28 Bay on a regular basis. It is anticipated that this witness has

1 information regarding: (a) a meeting that he had with Chris
2 Taloa in 2014, (b) the inner workings of the Lunada Bay Boys
3 and the methods to keep non-locals from the beach, (c) illegal
4 activities at Lunada Bay. Plaintiffs believe that Mr. Papayans
5 is a Lunada Bay Local and is being listed as a potential
6 percipient witness and possible defendant.

7 28) Jim Russi, contact information unknown, on the allegations
8 set forth in the Complaint related to Defendant Lunada Bay
9 Boys and the Individual Members of the Lunada Bay Boys.
10 Plaintiffs are informed and believe that Mr. Russi is a former
11 resident of the City of Palos Verdes Estates and maintains
12 strong connections to the community – possibly still owning a
13 home on the cliff above the bay. Plaintiffs are informed and
14 believe and on that basis allege that this witness has
15 information regarding the illegal activities of the Lunada Bay
16 Boys including the Ferraras. While this witness claims to have
17 moved from the area years ago, he has publicly defended the
18 actions of the Lunada Bay Boys. Plaintiffs believe that Mr.
19 Russi is a Lunada Bay Local and is being listed as a potential
20 percipient witness.

21 29) Carlos Anorga, 4040 Spencer St., Suite J, Torrance, CA
22 90503; (310) 371-7762, on the allegations set forth in the
23 Complaint related to Defendant Lunada Bay Boys and the
24 Individual Members of the Lunada Bay Boys. Plaintiffs
25 consider this person a longtime Lunda Bay local surfer and
26 potentially and is listed as a possible percipient witness.

27 30) Zen Del Rio, contact information unknown, on the allegations
28 set forth in the Complaint related to Defendant Lunada Bay

1 Boys and the Individual Members of the Lunada Bay Boys.
2 Plaintiffs consider this person a longtime Lunda Bay local and
3 potentially and is listed as a possible percipient witness.
4 31) Mark Koehler, address unknown, (808) 639-1668, on the
5 allegations set forth in the Complaint related to Defendant
6 Lunada Bay Boys and the Individual Members of the Lunada
7 Bay Boys. Plaintiffs believe that Mr. Koehler is a Lunada Bay
8 Local and is being listed as a potential percipient witness
9 32) Chad Beatty, 1104 S. Juanita Ave., Redondo Beach, CA
10 90277, on the allegations set forth in the Complaint related to
11 Defendant Lunada Bay Boys and the Individual Members of
12 the Lunada Bay Boys. This person has been surfing Lunada
13 Bay for years and is listed as a possible percipient witness. At
14 this time, Plaintiffs do not have any specific information
15 regarding this witness.
16 33) Joe Bark, address unknown; (310) 429-2463, on the
17 allegations set forth in the Complaint related to Defendant
18 Lunada Bay Boys and the Individual Members of the Lunada
19 Bay Boys. Plaintiffs believe that Mr. Bark is a Lunada Bay
20 Local and is being listed as a potential percipient witness.
21 Specifically, Plaintiffs believe and anticipate that Mr. Bark will
22 be able to testify to the following: (a) having surfed Lunada
23 Bay since at least 1980, the surfing ability of each named
24 Defendant, (b) as a world known waterman and surfboard and
25 paddleboard maker, the specific dangers related to surfing
26 Lunada Bay, (c) the types of equipment needed to safely surf
27 Lunada Bay during different types of surfing conditions, (d)
28 illegal activities of the Lunada Bay Boys.

- 1 34) Jason Buck, contact information unknown, on the allegations
2 set forth in the Complaint related to Defendant Lunada Bay
3 Boys and the Individual Members of the Lunada Bay Boys.
4 This person has been surfing Lunada Bay for years and is
5 listed as a possible percipient witness. At this time, Plaintiffs
6 do not have any specific information regarding this witness.
7 Plaintiffs believe that Mr. Buck is a Lunada Bay Local and is
8 being listed as a potential percipient witness.
- 9 35) Tony Pazanowski, contact information unknown. Plaintiffs are
10 informed and believe that Mr. Pazanowski was a former
11 resident of the City of Palos Verdes Estates having graduated
12 PV High School and maintains strong connections to the
13 community. Several people have reported that this witness
14 surfs the Bay and has posted comments in social media
15 supporting Lunada Bay localism. Plaintiffs are listing Mr.
16 Pazanowski as a potential percipient witness.
- 17 36) Derek Daigneault, contact information unknown, on the
18 allegations set forth in the Complaint related to Defendant
19 Lunada Bay Boys and the Individual Members of the Lunada
20 Bay Boys. Plaintiffs are listing Mr. Daigneault as a potential
21 percipient witness.
- 22 37) Daniel Dreiling Jr., contact information unknown, on the
23 allegations set forth in the Complaint related to Defendant
24 Lunada Bay Boys and the Individual Members of the Lunada
25 Bay Boys. Plaintiffs are informed and believe that this witness
26 is the son of the former Chief of Police for Palos Verdes
27 Estates and because of his father's job was permitted to surf
28 Lunada Bay. Plaintiffs are informed and believe that Mr.

1 Dreiling built at least one knee board for Defendant Brant
2 Blakeman. Mr. Dreiling is being listed as a potential percipient
3 witness.

4 38) Danny Ecker, contact information unknown, on the allegations
5 set forth in the Complaint related to Defendant Lunada Bay
6 Boys and the Individual Members of the Lunada Bay Boys.
7 Plaintiffs are informed and believe that this person grew up in
8 Palos Verdes Estates and surfed Lunada Bay for years and is
9 listed as a possible percipient witness. At this time, Plaintiffs
10 do not have any specific information regarding this witness.
11 Plaintiffs believe that Mr. Ecker is being listed as a potential
12 percipient witness.

13 39) Pat Ecker, contact information unknown, on the allegations
14 set forth in the Complaint related to Defendant Lunada Bay
15 Boys and the Individual Members of the Lunada Bay Boys.
16 This person has been surfing Lunada Bay for years and is
17 listed as a possible percipient witness. At this time, Plaintiffs
18 do not have any specific information regarding this witness.
19 Plaintiffs believe that Mr. Ecker is being listed as a potential
20 percipient witness.

21 40) Greg Cahill, contact information unknown, on the allegations
22 set forth in the Complaint related to Defendant Lunada Bay
23 Boys and the Individual Members of the Lunada Bay Boys.
24 Plaintiffs were contacted by a witness that stated that Mr.
25 Cahill was one of a group of Bay Boys that approached him
26 on top of the bluff while he was attempting to surf Lunada Bay
27 and threatened him with violence and damage to his car when
28 if he went down the trail. Mr. Cahill is being listed as a

- 1 percipient witness and possible defendant.
- 2 41) Alex Hooks, contact information unknown, on the allegations
3 set forth in the Complaint related to Defendant Lunada Bay
4 Boys and the Individual Members of the Lunada Bay Boys. At
5 this time, Plaintiffs do not have any specific information
6 regarding this witness. Plaintiffs believe that Mr. Hooks may
7 surf the bay and is being listed as a potential percipient
8 witness.
- 9 42) Alex Gray, contact information unknown, on the allegations
10 set forth in the Complaint related to Defendant Lunada Bay
11 Boys and the Individual Members of the Lunada Bay Boys.
- 12 43) Leonora Beukema, 2817 Palos Verdes Dr., Palos Verdes
13 Estates, CA 90274, on the allegations set forth in the
14 Complaint related to Defendant Lunada Bay Boys and the
15 Individual Members of the Lunada Bay Boys. Plaintiffs are
16 informed and believe that Ms. Beukema is married to
17 Defendant Angelo Ferrara and anticipate that she will testify
18 related to the following: (a) the inner workings of the Lunada
19 Bay Boys and the methods to keep non-locals from the
20 beach; (b) her son, Anthony Beukema's, activities in the
21 Lunada Bay Boys, (c) illegal activities at Lunada Bay, (d)
22 statements she made to the Daily Breeze regarding the
23 January 20, 2014 incident, at a public surfing event at Lunada
24 on Martin Luther King, Jr. Day, where a Lunada Bay Boy that
25 had his face painted in black makeup and wore a black Afro
26 wig left her house to go to the event. Plaintiffs' list this
27 witness as a percipient witness.
- 28 44) Jordan Wright, can be contacted through Plaintiffs' counsel,

1 on the subjects set forth in the Complaint, to which he was a
2 percipient witness. Specifically, Mr. Wright is expected to
3 testify regarding several incidents that he has had with
4 Individual members of the Lunada Bay Boys over the 2 – 3
5 years that he has attempted surf the break, including but not
6 limited to the following: (a) being assaulted on January 29,
7 2016 by David Melo, (b) February 13, 2016 incident with
8 Plaintiff Diana Reed, (c) other incidents when he attempted to
9 surf Lunada Bay.

10 45) Gavin Heaney, can be contacted through Plaintiffs' counsel,
11 on the allegations set forth in the Complaint related to
12 Defendant Lunada Bay Boys and the Individual Members of
13 the Lunada Bay Boys. It is anticipated that Mr. Heaney will
14 testify that he was denied entrance to Lunada Bay on top of
15 the bluff while attempting to surf there by six or more Bay
16 Boys who threatened him with violence and damage to his
17 property if he went down the trail. Fearing for his safety, he
18 quickly left the area. It is further anticipated this witness will
19 testify that Greg Cahill was one of the people who threatened
20 him.

21 46) Tyler Canali, can be contacted through Plaintiffs' counsel, on
22 the allegations set forth in the Complaint related to Defendant
23 Lunada Bay Boys and the Individual Members of the Lunada
24 Bay Boys. Canali will testify that he is not from Palos Verdes
25 Estates. It is anticipated that he will testify that was hassled
26 the whole way out by the Lunada Bay Boys. They kept telling
27 him "Don't bother going out, you're not going to get a wave."
28 He will state that the Individual Bay Boys cut him off on every

1 wave. He will further testify that Individual Bay Boys
2 surrounded him in the water in an effort to intimidate him.
3 They were as close as they could be, no one saying a word,
4 just staring him down. Eventually Canali made his way to
5 shore, where more hecklers awaited. They called him a "kook"
6 told him to leave.

- 7 47) Jimmy Conn, can be contacted through Plaintiffs' counsel, on
8 the allegations set forth in the Complaint related to Defendant
9 Lunada Bay Boys and the Individual Members of the Lunada
10 Bay Boys. Specifically, it is anticipated that this witness will
11 testify that he started surfing Lunada Bay around 1976 on
12 really big swells. Because most of the locals are not good
13 surfers, they would not be in the water when he surfed but
14 would still threaten, harass and throw rocks at him. On one
15 occasion, he was hit by a rock and needed 17 stiches in his
16 lip. He still has the scar.
- 17 48) Daniel Dorn, can be contacted through Plaintiffs' counsel, on
18 the allegations set forth in the Complaint related to Defendant
19 Lunada Bay Boys and the Individual Members of the Lunada
20 Bay Boys. It is anticipated that Mr. Dorn will testify that he is a
21 semiprofessional body boarder from Redondo Beach and that
22 he had never surfed Lunada Bay for fear of violence. He
23 attended one of Taloa's surfing events at Lunada Bay
24 because he felt it would be safe. It is anticipated that he will
25 testify even though the police where present they would not
26 tell him if it was safe. Upon greeting the pack with a hello, he
27 was assailed by profanities and threats. He will testify that a
28 Bay Boy in a kayak told him to leave and threatened him. It is

- 1 anticipated that Dorn will testify that Individual Bay Boys
2 dropped in on him and tried to run him over with their
3 surfboards until he left.
- 4 49) Derek Ellis, can be contacted through counsel, on the
5 allegations set forth in the Complaint related to Defendant
6 Lunada Bay Boys and the Individual Members of the Lunada
7 Bay Boys.
- 8 50) Geoff Hagins, can be contacted through Plaintiffs' counsel, on
9 the allegations set forth in the Complaint related to Defendant
10 Lunada Bay Boys and the Individual Members of the Lunada
11 Bay Boys. Geoff Hagins, John Hagan, Mike Bernard, Mike
12 Bernard, Jr, Charlie Rigano and Doug Disanti were accosted
13 by Peter McCollum and several other Bay Boys as reflected in
14 Incident Report 95-0381.
- 15 51) John Hagins, contact information unknown, on the allegations
16 set forth in the Complaint related to Defendant Lunada Bay
17 Boys and the Individual Members of the Lunada Bay Boys.
18 Geoff Hagins, John Hagan, Mike Bernard, Mike Bernard, Jr,
19 Charlie Rigano and Doug Disanti were accosted by Peter
20 McCollum and several other Bay Boys as reflected in Incident
21 Report 95-0381.
- 22 52) Mike Bernard, contact information unknown, on the
23 allegations set forth in the Complaint related to Defendant
24 Lunada Bay Boys and the Individual Members of the Lunada
25 Bay Boys. Geoff Hagins, John Hagan, Mike Bernard, Mike
26 Bernard, Jr, Charlie Rigano and Doug Disanti were accosted
27 by Peter McCollum and several other Bay Boys as reflected in
28 Incident Report 95-0381.

- 1 53) Mike Bernard, Jr. contact information unknown, on the
2 allegations set forth in the Complaint related to Defendant
3 Lunada Bay Boys and the Individual Members of the Lunada
4 Bay Boys. Geoff Hagins, John Hagin, Mike Bernard, Mike
5 Bernard, Jr, Charlie Rigano and Doug Disanti were accosted
6 by Peter McCollum and several other Bay Boys as reflected in
7 Incident Report 95-0381.
- 8 54) Charlie Rigano, contact information unknown, on the
9 allegations set forth in the Complaint related to Defendant
10 Lunada Bay Boys and the Individual Members of the Lunada
11 Bay Boys. Geoff Hagins, John Hagin, Mike Bernard, Mike
12 Bernard, Jr, Charlie Rigano and Doug Disanti were accosted
13 by Peter McCollum and several other Bay Boys as reflected in
14 Incident Report 95-0381.
- 15 55) Doug Disanti, contact information unknown, on the allegations
16 set forth in the Complaint related to Defendant Lunada Bay
17 Boys and the Individual Members of the Lunada Bay Boys.
18 Geoff Hagins, John Hagin, Mike Bernard, Mike Bernard, Jr,
19 Charlie Rigano and Doug Disanti were accosted by Peter
20 McCollum and several other Bay Boys as reflected in Incident
21 Report 95-0381.
- 22 56) Kurt Stanphenhorst, contact information unknown, on the
23 allegations set forth in the Complaint related to Defendant
24 Lunada Bay Boys and the Individual Members of the Lunada
25 Bay Boys. It is anticipated that this witness will testify that Got
26 shot at with a pellet gun by an Individual Bay Boy.
- 27 57) Randy Clark, contact information unknown, on the allegations
28 set forth in the Complaint related to Defendant Lunada Bay

- 1 Boys and the Individual Members of the Lunada Bay Boys.
- 2 58) John Innis, can be contracted through Plaintiffs' counsel, on
- 3 the allegations set forth in the Complaint related to Defendant
- 4 Lunada Bay Boys and the Individual Members of the Lunada
- 5 Bay Boys. This witness will testify that he was while trying to
- 6 take photographs. He made a police report but nothing came
- 7 of it.
- 8 59) Trish Laurie, contact information unknown, on the allegations
- 9 set forth in the Complaint related to Defendant Lunada Bay
- 10 Boys and the Individual Members of the Lunada Bay Boys. It
- 11 is anticipated that Ms. Laurie will testify that she was sexually
- 12 harassed/assaulted at Lunada Bay. It is anticipated that she
- 13 will say that certain individuals dropped "dropped their towels
- 14 and jerked off to her." Ms. Laurie is being listed as a possible
- 15 percipient witness.
- 16 60) Ken Claypool, can be contacted through Plaintiffs' counsel, on
- 17 the allegations set forth in the Complaint related to Defendant
- 18 Lunada Bay Boys and the Individual Members of the Lunada
- 19 Bay Boys. This witness will testify about several incidents of
- 20 harassment at Lunada Bay involving Individuals such as
- 21 Brant Blakeman and possibly one or more of the Ferraras.
- 22 61) Tom Wilson, contact information unknown, on the allegations
- 23 set forth in the Complaint related to Defendant Lunada Bay
- 24 Boys and the Individual Members of the Lunada Bay Boys.
- 25 62) Martin Tueling, contact information unknown, on the
- 26 allegations set forth in the Complaint related to Defendant
- 27 Lunada Bay Boys and the Individual Members of the Lunada
- 28 Bay Boys.

- 1 63) Bernie Mann, contact information unknown, on the allegations
2 set forth in the Complaint related to Defendant Lunada Bay
3 Boys and the Individual Members of the Lunada Bay Boys.
4 64) Dr. Stephen Young, can be contacted through Plaintiffs'
5 counsel, on the allegations set forth in the Complaint related
6 to Defendant Lunada Bay Boys and the Individual Members
7 of the Lunada Bay Boys. It is anticipated that Dr. Stephen
8 Young will testify that while attending Medical school he tried
9 many times to enjoy the break at Lunada Bay and on every
10 occasion I was bullied to leave the area. He will tesify that his
11 vehicle was damaged many times which included slashed
12 tires, scratches on the painted surfaces and broken windows.
13 He will testify that there was a few occasions that he feared
14 for my life. He will state that he filed a police report but
15 nothing was done.
16 65) Hagan Kelly, contact information unknown, on the allegations
17 set forth in the Complaint related to Defendant Lunada Bay
18 Boys and the Individual Members of the Lunada Bay Boys.
19 66) Sef Krell, may be contacted through Plaintiffs' counsel, on the
20 allegations set forth in the Complaint related to Defendant
21 Lunada Bay Boys and the Individual Members of the Lunada
22 Bay Boys. Specifically, related to the incident that occurred on
23 or around November 15, 2014.
24 67) Alan Haven, can be contacted through Plaintiffs' counsel, on
25 the allegations set forth in the Complaint related to Defendant
26 Lunada Bay Boys and the Individual Members of the Lunada
27 Bay Boys. Mr. Haven is a resident of Palos Verdes Estates
28 and will testify regarding the video of an assault that he took

1 on October 10, 2015.

2 68) Daniel R. Jongeward, can be contacted through Plaintiffs'
3 counsel, on the allegations set forth in the Complaint related
4 to Defendant Lunada Bay Boys and the Individual Members
5 of the Lunada Bay Boys. Specifically, it is anticipated that Mr.
6 Jongeward will testify that: (a) he is not a resident of Palos
7 Verdes Estates, (b) he was a big surfer but rides longboards
8 and guns, (c) he has attempted to surf Lunada Bay on several
9 occasions. Because of the reputation, he went alone and
10 early in the morning. He has had dirt clogs and rocks thrown
11 at him. He has been physically threatened. People threatened
12 to vandalize his car. Because he believes that the Lunada
13 Bay Boys have the ability to physically harm him and his
14 property he made the decision not to return.

15 69) Patrick Landon, contact information unknown, on the
16 allegations set forth in the Complaint related to Defendant
17 Lunada Bay Boys and the Individual Members of the Lunada
18 Bay Boys.

19 70) Frank Netto, can be contacted through Plaintiffs' counsel, on
20 the allegations set forth in the Complaint related to Defendant
21 Lunada Bay Boys and the Individual Members of the Lunada
22 Bay Boys.

23 71) Randy Miestrell, contact information unknown, on the
24 allegations set forth in the Complaint related to Defendant
25 Lunada Bay Boys and the Individual Members of the Lunada
26 Bay Boys. This witness has been quoted in numerus articles
27 over the years and is listed as a possible percipient witness.

28 72) Sharlean Perez, can be contacted through Plaintiffs' counsel,

1 on the allegations set forth in the Complaint related to
2 Defendant Lunada Bay Boys and the Individual Members of
3 the Lunada Bay Boys. It is anticipated that this witness will
4 testify that she and her boyfriend tried to hike down the trail to
5 Lunada Bay and people started throwing glass bottles "near"
6 and "around" them. She and her boyfriend at the time were
7 not from PVE.

- 8 73) Charles Michael Pinkerton, can be contacted through
9 Plaintiffs' counsel, on the allegations set forth in the
10 Complaint related to Defendant Lunada Bay Boys and the
11 Individual Members of the Lunada Bay Boys. It is anticipated
12 that Mr. Pinkerton will testify that he is an aerospace engineer
13 with a Masters Degree that he has made several attempts to
14 surf Lunada Bay. He will state that he has been harassed
15 (verbal harassments, threats of violence, to throw things in the
16 water). He has had all four tires flattened, his windows waxed;
17 his backpack thrown in the water while he was out surfing.
18 74) Mike Purpus, contact information unknown, on the allegations
19 set forth in the Complaint related to Defendant Lunada Bay
20 Boys and the Individual Members of The Lunada Bay Boys.
21 This witness is a former professional surfer who has written
22 articles about localism at Lunada Bay and is listed as a
23 possible percipient witness.
24 75) Mike Stevens, Los Angeles County District Attorney's Office,
25 210 West Temple Street, Los Angeles, CA 90012, on the
26 allegations set forth in the Complaint related to Defendant
27 Lunada Bay Boys and the Individual Members of the Lunada
28 Bay Boys. Plaintiffs have been informed that Mr. Stevens is

an investigator with the Los Angeles District Attorney's Office and that he was hassled by the Bay Boys when attempting to surf Lunada Bay. Neither Plaintiffs nor their attorneys have spoken directly with Mr. Stevens. He is listed as a possible percipient witness.

- 6 76) Christopher Taloa, can be contacted through Plaintiffs' 7
7 counsel, on the allegations set forth in the Complaint related 8
8 to Defendant Lunada Bay Boys and the Individual Members 9
9 of the Lunada Bay Boys. Specifically, it is anticipated that Mr. 10
10 Taloa will testify regarding several incidents.

11 77) John MacHarg, can be contacted through Plaintiffs' counsel. 12
12 Plaintiffs anticipate that Mr. MacHard will testify that while 13
13 visiting Lunada Bay on Feburary 1, 2016 he was standing just 14
14 under the patio on the rocks and Defendant Sang Lee (local 15
15 surfer/enforcer) who was standing on top of the patio poured 16
16 out a portion of the beer he was holding on to his head. This 17
17 happened right in front two officers that were standing 6 feet 18
18 to his right.

19 78) Tim Tindall, can be contacted through Plaintiffs' counsel, on 20
20 the allegations set forth in the Complaint related to Defendant 21
21 Lunada Bay Boys and the Individual Members of the Lunada 22
22 Bay Boys. It is anticipated that Mr. Tindell will testify about 23
23 being harassed while attempting to body board Wally's.

24 79) Rory Carroll, contact information unknown, on the allegations 25
25 set forth in the Complaint related to Defendant Lunada Bay 26
26 Boys and the Individual Members of the Lunada Bay Boys. 27
27 Specifically, Mr. Carroll is expected to testify regarding the 28
28 contents of the

- 1 video:[https://www.theguardian.com/travel/video/2015/may/18/
2 california-surf-wars-lunada-bay-localism-video](https://www.theguardian.com/travel/video/2015/may/18/california-surf-wars-lunada-bay-localism-video)
- 3 80) Noah Smith, contact information unknown, on the allegations
4 set forth in the Complaint related to Defendant Lunada Bay
5 Boys and the Individual Members of the Lunada Bay Boys.
6 Specifically, Mr. Carroll is expected to testify regarding the
7 contents of the video:
8 <https://www.theguardian.com/travel/video/2015/may/18/california-surf-wars-lunada-bay-localism-video>
- 9 81) Josh Bernstein, contact information unknown, on the subject of
10 the declaration submitted to the California Coastal
11 Commission regarding trail access.
- 12 82) Karl R. Bingemann, contact information unknown, on the
13 subject of the declaration submitted to the California Coastal
14 Commission regarding trail access.
- 15 83) William C. Brand, contact information unknown, on the subject
16 of the declaration submitted to the California Coastal
17 Commission regarding trail access.
- 18 84) Kurt Buettgenbach, contact information unknown, on the
19 subject of the declaration submitted to the California Coastal
20 Commission regarding trail access.
- 21 85) Sean Criss, contact information unknown, on the subject of
22 the declaration submitted to the California Coastal
23 Commission regarding trail access.
- 24 86) Douglas Leach, contact information unknown, on the subject
25 of the declaration submitted to the California Coastal
26 Commission regarding trail access.
- 27 87) Ian McDonald, contact information unknown, on the subject of

the declaration submitted to the California Coastal Commission regarding trail access.

- 1 Barber, presumably can be contacted through counsel for the
2 City, on the subject regarding Officer Report for Incident 97-
3 0047.
- 4 97) Officers Richard J. Delmont / Patrick L. Hite, can presumably
5 be contacted through counsel for the City, on the subject
6 regarding Officer Report for Incident 98-0301.
- 7 98) Officers Cecilia T. Nguyen / Mark A. Velez / Valerie S. Hite,
8 can presumably be contacted through counsel for the City, on
9 the subject regarding Officer Report for Incident 99-0042.
- 10 99) Officers E. Gaunt / C. Reed, presumably can be contacted
11 through counsel for the City, on the subject regarding Officer
12 Report for Incident 09-00575.
- 13 100) Officers E. Gaunt / C. Reed, presumably can be contacted
14 through counsel for the City, on the subject regarding Officer
15 Report for Incident 09-00562.
- 16 101) Officers B. Hernandez / R. Venegas, presumably can be
17 contacted through counsel for the City, on the subject
18 regarding Officer Report for Incident 09-00693.
- 19 102) Officer B. Hernandez, presumably can be contacted through
20 counsel for the City, on the subject regarding Officer
21 Report for Incident 09-10183.
- 22 103) Officers L. Tejada / R. Delmont, presumably can be contacted
23 through counsel for the City, on the subject regarding Officer
24 Report for Incident 09-08872.
- 25 104) Officers C. Eberhard / S. Tomlins, presumably can be
26 contacted through counsel for the City, on the subject
27 regarding Officer Report for Incident 10-00265.
- 28 105) Officers B. Hernandez / C. Reed, presumably can be

contacted through counsel for the City, on the subject regarding Officer Report for Incident 10-02408.

B. Documents

In accordance with F.R.C.P. 26(a)(1)(A)(ii), Plaintiffs identify the following categories of documents in their possession, custody or control:

Police Reports:

1. Palos Verdes Estates Police Department, Officer Report for Incident 16-01360, dated 1/22/95.
 2. Palos Verdes Estates Police Department, Officer Report for Incident 95-0219/0381, dated 3/13/95.
 3. Palos Verdes Estates Police Department, Officer Report for Incident 95-0297, dated 4/5/95.
 4. Palos Verdes Estates Police Department, Officer Report for Incident 95-0381, dated 4/26/95.
 5. Palos Verdes Estates Police Department, Officer Report for Incident 95-0381, dated 3/14/95.
 6. Palos Verdes Estates Police Department, Officer Report for Incident 95-0418, dated 5/7/95.
 7. Palos Verdes Estates Police Department, Officer Report for Incident 96-1037, dated 12/18/96.
 8. Palos Verdes Estates Police Department, Officer Report for Incident 97-0002, dated 1/1/97.
 9. Palos Verdes Estates Police Department, Officer Report for Incident 97-0042, dated 1/18/97.
 10. Palos Verdes Estates Police Department, Officer Report for Incident 97-0047, dated 1/19/97.
 11. Palos Verdes Estates Police Department, Officer Report for Incident 98-0301, dated 5/02/98.

- 1 12. Palos Verdes Estates Police Department, Officer Report for
- 2 Incident 99-0042, dated 1/16/99.
- 3 13. Palos Verdes Estates Police Department, Officer Report for
- 4 Incident 99-0077, dated 1/24/99.
- 5 14. Palos Verdes Estates Police Department, Officer Report for
- 6 Incident 09-00562, dated 1/19/09.
- 7 15. Palos Verdes Estates Police Department, Officer Report for
- 8 Incident 09-00693, dated 1/24/09.
- 9 16. Palos Verdes Estates Police Department, Officer Report for
- 10 Incident 09-08872, dated 10/15/09.
- 11 17. Palos Verdes Estates Police Department, Officer Report for
- 12 Incident 09-10183, dated 11/28/09. – Sang Lee
- 13 18. Palos Verdes Estates Police Department, Officer Report for
- 14 Incident 10-00265, dated 1/10/10.
- 15 19. Palos Verdes Estates Police Department, Officer Report for
- 16 Incident 10-02408, dated 3/23/10.
- 17 20. Palos Verdes Estates Police Department, Officer Report for
- 18 Incident 11-10919, dated 12/25/11.
- 19 21. Palos Verdes Estates Police Department, Officer Report for
- 20 Incident 12-11606, dated 11/03/12.
- 21 22. Palos Verdes Estates Police Department, Officer Report for
- 22 Incident 16-0136, dated 1/29/16.

23 Photos:

- 24 23. All photos attached as exhibits to the Complaint.
- 25 24. All photos attached as exhibits to the State Action BC629596.
- 26 25. Photographs of Lunada Bay taken in August 2015 and provided
- 27 to Plaintiffs by City of Palos Verdes Estates in response to Public
- 28 Records Act Request, Bates Nos. 1128-1151,1267-1300.

1 Correspondence:

- 2 26. Letter undated from Jim Russi to Ed Jaakola.
- 3 27. Letter dated January 21, 2016, from Jordan Sanchez of the
- 4 California Coastal Commission to Jeff Kepley of the Palos
- 5 Verdes Police Department.
- 6 28. Letter dated June 6, 2016, from Mr. Sanchez of the California
- 7 Coastal Commission to City Manager Anton Dahlerbruch.
- 8 29. Letter dated June 7, 2016, from City Manager Dahlerbruch to Mr.
- 9 Sanchez.
- 10 30. July 12, 2016 Sheri Repp-Loadsmann, Deputy City
- 11 Manager/Planning and Building Director issued a Memorandum
- 12 to the City's Mayor and City Council.
- 13 31. Email chain dated April 4, 2016 between John MacHarg and
- 14 Mark Velez.
- 15 32. Memo dated 12/31/15 from Chief Jeff Kepley' re PVE Surfing
- 16 Localism in The Media This Week.
- 17 33. Memorandum from Anton Dahlerbruch to Honorable Mayor and
- 18 City Council dated January 22, 2016, Subject City Managers
- 19 Report for January 18- January 22, 2016.
- 20 34. Memorandum from Anton Dahlerbruch to Honorable Mayor and
- 21 City Council dated January 29, 2016, Subject City Managers
- 22 Report for January 25- January 29, 2016.
- 23 35. Memorandum from Anton Dahlerbruch to Honorable Mayor and
- 24 City Council dated March 25, 2016, Subject City Managers
- 25 Report for March 21 - March 25, 2016.
- 26 36. Letter dated January 12, 2016 from Resident to Jeff Kepley.
- 27 37. Letter to Surfer Magazine from Frank Ferarra entitled "Today's
- 28 Lesson Don't Be A Kook.

Videos:

38. Defendant Sang Lee and other Bay Boys caught on video.
<https://www.theguardian.com/travel/video/2015/may/18/california-surf-wars-lunada-bay-localism-video>
 39. Peter McCollum assaults Jeff Hagins, John Hagins, Vietnam combat vet Mike Bernard and his son for surfing the public beach telling them, among other things, "you won't come back here again boy".
<https://www.youtube.com/watch?v=J1Ms0ktOaZs>
 40. Defendant Michael Papayans - blocking access to the public beach: <https://vimeo.com/88394493>
 41. MLK harassment - <https://vimeo.com/85025465>
 42. Video of David Melo harassing Diana Milena Reed and Jordan Wright and attempting to block their access to public beach taken on 1/29/16.
 43. Video of Hank Harper attempting to intimidate Diana Milena Reed and her attorney while being interviewed by the media.
 44. The Swell Life, (2001), interview of former Chief of Police Tim Browne.
 45. Video taken by Alan Haven on 10-10-16 of six males on the cliffs edge that overlooks Lunada Bay.

C. Damages

A Computation of Damages Claimed by Plaintiff Under Fed. R. Civ. P.
26(a)(1)(A)(iii)

This case is primarily about broad, class-wide injunctive and declaratory relief necessary to redress group-wide injury to visiting beachgoers whom Defendants are denying access to Lunada Bay, whereby a single injunction or declaratory judgment will provide relief to each member

1 of the class. In addition to equitable relief, on behalf of themselves and the
2 putative class, Plaintiffs Cory Spencer and Diana Milena Read seek uniform
3 and formulaic damages that are incidental to the requested equitable relief.
4 This includes damages under Civil Code section 52 and 52.1(b). Plaintiffs do
5 not have sufficient information at this time to provide an accurate estimate of
6 the incidental damages, however, such amount is to be determined at trial.

7 Plaintiffs also seek attorneys' fees, costs, and interest pursuant to Cal.
8 Civ. Code §§ 52.1 and 1021.5, 42 U.S.C. § 1983, and any other statute or
9 rule of law authorizing such an award.

10 At this early stage of discovery, however, Plaintiffs are unable to
11 provide a full computation of damages they will be seeking.

12 **D. Insurance**

13 Not applicable.

14 **E. Certification**

15 To the best of my knowledge, information, and belief, formed after an
16 inquiry that is reasonable under the circumstances, this disclosure is
17 complete and correct as of the time it is made.

18

19 DATED: October 2, 2016

HANSON BRIDGETT LLP

20

21

Bv:/s/ *Kurt A. Franklin*

22 KURT A. FRANKLIN
23 SAMANTHA D. WOLFF
24 CAROLINE ELIZABETH LEE
TYSON M. SHOWER
LANDON D. BAILEY
25 Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
REED, and COASTAL PROTECTION
RANGERS, INC.

26

27

28

1 OTTEN LAW, PC
2 DATED: October 2, 2016
3
4
5 Bv: /s/Victor Otten _____
6 VICTOR OTTEN
7 KAVITA TEKCHANDANI
8 Attorneys for Plaintiffs
9 CORY SPENCER, DIANA MILENA
10 REED, and COASTAL PROTECTION
11 RANGERS, INC.
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EXHIBIT 7

1 **VEATCH CARLSON, LLP**
2 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
3 1055 WILSHIRE BOULEVARD, 11TH FLOOR
4 LOS ANGELES, CALIFORNIA 90017
5 TELEPHONE (213) 381-2861
6 FACSIMILE (213) 383-6370

(SPACE BELOW FOR FILING STAMP ONLY)

4 **ROBERT T. MACKEY**, State Bar No. 210810
5 rmackey@veatchfirm.com
6 **PETER H. CROSSIN**, State Bar No. 163189
7 pcrossin@veatchfirm.com
8 **RICHARD P. DIEFFENBACH**, State Bar No. 102663
9 rdieffenbach@veatchfirm.com

10 Attorneys for Defendant, **BRANT BLAKEMAN**

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

14 CORY SPENCER, an individual;
15 DIANA MILENA REED, an individual;
16 and COASTAL PROTECTION
17 RANGERS, INC., a California non-profit
18 public benefit corporation,

19 } **CASE NO.: 2:16-CV-2129-SJO-RAO**
20 } Assigned to Courtroom: 1
21 } The Hon. S. James Otero

22 Plaintiffs,

23 }
24 vs.
25 }
26 }

27 INTERROGATORIES TO
28 PLAINTIFF CORY SPENCER (SET
1-10, ONE)

13 LUNADA BAY BOYS; THE
14 INDIVIDUAL MEMBERS OF THE
15 LUNADA BAY BOYS, including but not
16 limited to SANG LEE, BRANT
17 BLAKEMAN, ALAN JOHNSTON AKA
18 JALIAN JOHNSTON, MICHAEL RAE
19 PAPAYANS, ANGELO FERRARA,
20 FRANK FERRARA, CHARLIE
21 FERRARA, and N.F.; CITY OF PALOS
22 VERDES ESTATES; CHIEF OF
23 POLICE JEFF KEPLEY, in his
1-10, representative capacity; and DOES
1-10,

13 Defendants.

14 ///

15 ///

1
2 PROPOUNDING PARTY: BRANT BLAKEMAN
3 RESPONDING PARTY : CORY SPENCER
4 SET NO. : ONE
5

6 TO PLAINTIFF CORY SPENCER AND TO HIS ATTORNEYS OF
7 RECORD: Defendant BRANT BLAKEMAN requests that you answer the following
8 interrogatories under oath, pursuant to Federal Rules of Civil Procedure Rule 33 et
9 seq. within thirty (30) days. Pursuant to Rule 33(1), the interrogatories must be
10 answered by the party to whom they are directed; or if that party is a public or private
11 corporation, a partnership, an association, or a governmental agency, by any officer or
12 agent, who must furnish the information available to the party. The responding party
13 must serve its answers and any objections within 30 days after being served with the
14 interrogatories. Each interrogatory must, to the extent it is not objected to, be
15 answered separately and fully in writing under oath. Objections. The grounds for
16 objecting to an interrogatory must be stated with specificity. Any ground not stated in
17 a timely objection is waived unless the court, for good cause, excuses the failure. The
18 person who makes the answers must sign them, and the attorney who objects must
19 sign any objections.

20 Option to Produce Business Records. If the answer to an interrogatory may be
21 determined by examining, auditing, compiling, abstracting, or summarizing a party's
22 business records (including electronically stored information), and if the burden of
23 deriving or ascertaining the answer will be substantially the same for either party, the
24 responding party may answer by:

25 (1) specifying the records that must be reviewed, in sufficient detail to
26 enable the interrogating party to locate and identify them as readily as the responding
27 party could; and

28 (2) giving the interrogating party a reasonable opportunity to examine

1 and audit the records and to make copies, compilations, abstracts, or summaries.

2 Your answers to these interrogatories must be verified, dated, and signed. You
3 may wish to use the following form at the end of your answers:

4 "I declare under penalty of perjury under the laws of the United
5 States and the State of California that the foregoing answers are true and correct.

6 Date

Signature"

7

8 **DEFINITIONS**

9 YOU or YOUR means the responding party to these requests.

10 YOU OR ANYONE ACTING ON YOUR BEHALF includes you, your agents,
11 your employees, your insurance companies, their agents, their employees, your
12 attorneys, your accountants, your investigators, and anyone else acting on your behalf.

13 BRANT BLAKEMAN means only Brant Blakeman in his individual capacity.
14 This definition expressly excludes Brant Blakeman as an alleged member of what
15 plaintiff alleges are the "Lunada Bay Boys." This definition expressly excludes the
16 actions or omissions of any other PERSON other than Brant Blakeman in his
17 individual capacity. This definition expressly excludes acts of PERSONS other than
18 Brant Blakeman that plaintiff attributes to Brant Blakeman under a theory of Civil
19 Conspiracy.

20 ADDRESS means the street address, including the city, state, and Zip code.

21 PERSON includes a natural person, firm, association, organization, partnership,
22 business, trust, limited liability company, corporation, or public entity.

23 DOCUMENT or WRITING is meant to include the term "document" as used
24 in Federal Rule of Civil Procedure Rule 34, and "writing, recording, photograph,
25 original, and or duplicate" as such terms are defined in Federal Rules of Evidence
26 Rule 1001, and as the term "writing" as is defined in California Evidence Code
27 section 250, which states "'Writing' means handwriting, typewriting, printing,
28 photostating, photographing, photocopying, transmitting by electronic mail or

1 facsimile, and every other means of recording upon any tangible thing, any form of
2 communication or representation, including letters, words, pictures, sounds, or
3 symbols, or combinations thereof, and any record thereby created, regardless of the
4 manner in which the record has been stored."

5
6 IDENTIFY means to provide the name ADDRESS and telephone number or
7 sufficient information so that a PERSON or things may be subpoenaed and/or located
8 by a party.

9 IDENTIFY ALL DOCUMENTS means all documents known to the party
10 responding to the interrogatory or to that person's representatives, and without
11 limitation includes providing all ADDRESSES where the WRITING(S) are located so
12 that they can be subpoenaed for production and IDENTIFYING ALL PERSONS in
13 possession, custody, or control of the documents, or who has knowledge of the
14 location of such documents.

15 IDENTIFY ALL PERSONS means all persons known to the party responding
16 to the interrogatory or to that person's representatives, and without limitation includes
17 providing the current or last known ADDRESS and telephone number, and electronic
18 mail address in order to contact and subpoena such PERSON(S).

19
20 **INTERROGATORIES**

21
22 1. IDENTIFY ALL PERSONS that have knowledge of any facts that
23 support your contention that BRANT BLAKEMAN participated in any way in the
24 "commission of enumerated 'predicate crimes'" as alleged in paragraph 5 of the
25 Complaint , and for each such PERSON identified state all facts you contend are
26 within that PERSON's knowledge.

27
28 2. IDENTIFY ALL PERSONS that have knowledge of any facts that

1 support your contention in paragraph 7 of the Complaint that BRANT BLAKEMAN
2 "is responsible in some manner for the Bane Act violations and public nuisance
3 described in the Complaint" and for each such PERSON identified state all facts you
4 contend are within that PERSON's knowledge.

5
6 3. IDENTIFY ALL PERSONS that have knowledge of any facts that
7 support your contention in paragraph 18 of the Complaint that BRANT BLAKEMAN
8 "sell[s] market[s] and use[s] illegal controlled substances from the Lunada Bay Bluffs
9 and the Rock Fort" and for each such PERSON identified state all facts you contend
10 are within that PERSON's knowledge.

11
12 4. IDENTIFY ALL PERSONS that have knowledge of any facts that
13 support your contention in paragraph 18 of the Complaint that BLAKE BRANTMAN
14 "impede[d] boat traffic" at any time, and for each such PERSON identified state all
15 facts you contend are within that PERSON's knowledge.

16
17 5. IDENTIFY ALL PERSONS that have knowledge of any facts that
18 support your contention in paragraph 18 of the Complaint that BLAKE BRANTMAN
19 "dangerously disregard[ed] surfing rules" at any time, and for each such PERSON
20 identified state all facts you contend are within that PERSON's knowledge.

21
22 6. IDENTIFY ALL PERSONS that have knowledge of any facts that
23 support your contention that BLAKE BRANTMAN has illegally extorted money from
24 beachgoers who wish to use Lunada Bay for recreational purposes (See paragraph 33
25 j. of the Complaint), and for each such PERSON identified state all facts you
26 contend are within that PERSON's knowledge.

27
28 7. IDENTIFY ALL PERSONS that have knowledge of any facts that

1 support your contention that BLAKE BRANTMAN was a part of a Civil Conspiracy
2 as identified in your complaint in paragraphs 51 through 53, and for each such
3 PERSON identified state all facts you contend are within that PERSON's knowledge.
4

5 8. IDENTIFY ALL PERSONS that have knowledge of any facts that
6 support plaintiffs' First Cause of Action in the Complaint (Bane Act Violations)
7 against BRANT BLAKEMAN, and for each such PERSON identified state all facts
8 you contend are within that PERSON's knowledge.
9

10 9. IDENTIFY ALL PERSONS that have knowledge of any facts that
11 support plaintiffs' Second Cause of Action in the Complaint (Public Nuisance) against
12 BRANT BLAKEMAN, and for each such PERSON identified state all facts you
13 contend are within that PERSON's knowledge.
14

15 10. IDENTIFY ALL PERSONS that have knowledge of any facts that
16 support plaintiffs' Sixth Cause of Action in the Complaint (Assault) against BRANT
17 BLAKEMAN, and for each such PERSON identified state all facts you contend are
18 within that PERSON's knowledge.
19

20 11. IDENTIFY ALL PERSONS that have knowledge of any facts that
21 support plaintiffs' Seventh Cause of Action in the Complaint (Battery) against
22 BRANT BLAKEMAN, and for each such PERSON identified state all facts you
23 contend are within that PERSON's knowledge.
24 / / /
25 / / /
26 / / /
27 / / /
28 / / /

1 12. IDENTIFY ALL PERSONS that have knowledge of any facts that
2 support plaintiffs' Eighth Cause of Action in the Complaint (Negligence) against
3 BRANT BLAKEMAN, and for each such PERSON identified state all facts you
4 contend are within that PERSON's knowledge.

5
6 DATED: September 16, 2016

VEATCH CARLSON, LLP

7
8 By:
9


10 ROBERT T. MACKEY
11 PETER H. CROSSIN
12 RICHARD P. DIEFFENBACH
13 Attorneys for Defendant BRANT
14 BLAKEMAN

I:\WP\01008018\DISC-special interrogs to plaintiffs.wpd

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444.

On September 16, 2016 I served the foregoing document described as
INTERROGATORIES TO PLAINTIFF CORY SPENCER (SET ONE) on the
interested parties in this action by placing a true copy thereof in a sealed envelope addressed as
follows:

Victor Otten, Esq.
Kavita Tekchandani, Esq.
OTTEN LAW PC
3620 Pacific Coast Highway, #100
Torrance, CA 90505
Telephone: (310) 378-8533
Facsimile: (310) 347-422
Attorneys for Plaintiffs

- BY MAIL** (C.C.P. §§ 1013a, *et seq.*): I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation or postage meter date is more than one day after date of deposit for mailing in affidavit.

ELECTRONIC MAIL SERVICE I served the above documents by electronic mail in the United States during normal business hours by causing the within document to be transmitted to the attorneys of record for the parties herein at the email address(es) of said attorney(s) as indicated above. The electronic service was in compliance with CRC Rule 2.251 and the transmission was reported as complete and without error. I am readily familiar with Veatch Carlson, LLP business practices for electronic service. :

BY PERSONAL SERVICE (C.C.P. §§ 1011, *et seq.*): I delivered such envelope(s) by hand to the offices of the addressee(s).

BY FACSIMILE TRANSMISSION from Facsimile No. (213) 383-6370 to the fax numbers listed below. The facsimile machine I used complied with Court Rule 2.306. Pursuant to Rule 2.306, I caused the machine to print a transmission confirmation report that showed the document was transmitted complete and without error and a copy is attached.

BY EXPRESS MAIL (C.C.P. §§ 1013(c)(d), *et seq.*): I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier as an express mail envelope, with fees and postage prepaid.

BY REGISTERED MAIL (C.C.P. §§ 1020, *et seq.*): I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by the addressee that said documents were received.

STATE: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 16, 2016 at Los Angeles, California.


Andrea Dona
ANDREA DONA

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SEE ATTACHED SERVICE LIST

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Andrea Dona

SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

2	Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26 th Floor San Francisco, CA 94105	Attorneys for PLAINTIFFS Telephone: (415) 442-3200 Facsimile: (415) 541-9366 Email: kfranklin@hansonbridgett.com Email: swolff@hansonbridgett.com Email: clee@hansonbridgett.com
7	Tyson M. Shower, Esq. Landon D. Bailey, Esq. HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	Attorneys for PLAINTIFFS Telephone: (916) 442-3333 Facsimile: (916) 442-2348 Email: tshower@hansonbridgett.com
10	Edwin J. Richards, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 992614-8595	Attorneys for Defendants CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLY Telephone: (949) 417-0999 Facsimile: (949) 417-5394 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
15	J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant ALAN JOHNSTON aka JALIAN JOHNSTON Telephone: (310) 526-2237 Facsimile: (310) 526-2237 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
21	Peter R. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant MICHAEL RAY PAPAYANS Telephone: (310) 272-5353 Facsimile: (213) 477-2137 Email: peter@hblwfirm.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Facsimile: (213) 629-4520 Email: fields@markfieldslaw.com
2	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
3	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tara Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com Email: Tera.Lutz@lewisbrisbois.com
4	Laura Bell, Esq. William Lock, Esq. BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd., Suite 110 Woodland Hills, CA 91367	Attorney for Defendants, FRANK FERRARA and CHARLIE FERRARA Telephone: (818) 712-9800 Facsimile: (818) 712-9900 Email: lbell@bremerwhyte.com Email: wlocke@bremerwhyte.com
5	Daniel M. Crowley, Esq. BOOTH, MITCHEL & STRANGE LLP 707 Wilshire Blvd., Suite 4450 Los Angeles, CA 90017	Telephone: (213) 738-0100 Facsimile: (213) 380-3308 Email:
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1 **VEATCH CARLSON, LLP**
2 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
3 1055 WILSHIRE BOULEVARD, 11TH FLOOR
4 LOS ANGELES, CALIFORNIA 90017
5 TELEPHONE (213) 381-2861
6 FACSIMILE (213) 383-6370

(SPACE BELOW FOR FILING STAMP ONLY)

7 **ROBERT T. MACKEY**, State Bar No. 210810
8 rmackey@veatchfirm.com
9 **PETER H. CROSSIN**, State Bar No. 163189
10 pcrossin@veatchfirm.com
11 **RICHARD P. DIEFFENBACH**, State Bar No. 102663
12 rdieffenbach@veatchfirm.com

13 Attorneys for Defendant, **BRANT BLAKEMAN**

14
15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

17 CORY SPENCER, an individual; }
18 DIANA MILENA REED, an individual; }
19 and COASTAL PROTECTION }
20 RANGERS, INC., a California non-profit }
21 public benefit corporation, }

22 **CASE NO.: 2:16-CV-2129-SJO-RAO**
23 Assigned to Courtroom: 1
24 The Hon. S. James Otero

25 Plaintiffs, }

26 **INTERROGATORIES TO**
27 **PLAINTIFF DIANA MILENA**
28 **REED (SET ONE)**

1 LUNADA BAY BOYS; THE }
2 INDIVIDUAL MEMBERS OF THE }
3 LUNADA BAY BOYS, including but not }
4 limited to SANG LEE, BRANT }
5 BLAKEMAN, ALAN JOHNSTON AKA }
6 JALIAN JOHNSTON, MICHAEL RAE }
7 PAPAYANS, ANGELO FERRARA, }
8 FRANK FERRARA, CHARLIE }
9 FERRARA, and N.F.; CITY OF PALOS }
10 VERDES ESTATES; CHIEF OF }
11 POLICE JEFF KEPLEY, in his }
12 representative capacity; and DOES }
13 1-10, }

14 Defendants. }

15 ///

16 ///

1
2 PROPOUNDING PARTY: BRANT BLAKEMAN
3 RESPONDING PARTY : DIANA MILENA REED
4 SET NO. : ONE
5
6

7 TO PLAINTIFF DIANA MILENA REED AND TO HER ATTORNEYS OF
8 RECORD: Defendant BRANT BLAKEMAN requests that you answer the following
9 interrogatories under oath, pursuant to Federal Rules of Civil Procedure Rule 33 et
10 seq. within thirty (30) days. Pursuant to Rule 33(1), the interrogatories must be
11 answered by the party to whom they are directed; or if that party is a public or private
12 corporation, a partnership, an association, or a governmental agency, by any officer or
13 agent, who must furnish the information available to the party. The responding party
14 must serve its answers and any objections within 30 days after being served with the
15 interrogatories. Each interrogatory must, to the extent it is not objected to, be
16 answered separately and fully in writing under oath. Objections. The grounds for
17 objecting to an interrogatory must be stated with specificity. Any ground not stated in
18 a timely objection is waived unless the court, for good cause, excuses the failure. The
19 person who makes the answers must sign them, and the attorney who objects must
20 sign any objections.

21 Option to Produce Business Records. If the answer to an interrogatory may be
22 determined by examining, auditing, compiling, abstracting, or summarizing a party's
23 business records (including electronically stored information), and if the burden of
24 deriving or ascertaining the answer will be substantially the same for either party, the
25 responding party may answer by:

26 (1) specifying the records that must be reviewed, in sufficient detail to enable the
27 interrogating party to locate and identify them as readily as the responding party
28 could; and

1 (2) giving the interrogating party a reasonable opportunity to examine and audit the
2 records and to make copies, compilations, abstracts, or summaries.

Your answers to these interrogatories must be verified, dated, and signed. You
may wish to use the following form at the end of your answers:

5 "I declare under penalty of perjury under the laws of the United
6 States and the State of California that the foregoing answers are true and correct.

7 Date Signature"

DEFINITIONS

YOU or YOUR means the responding party to these requests.

11 YOU OR ANYONE ACTING ON YOUR BEHALF includes you, your agents,
12 your employees, your insurance companies, their agents, their employees, your
13 attorneys, your accountants, your investigators, and anyone else acting on your behalf.

14 BRANT BLAKEMAN means only Brant Blakeman in his individual capacity.
15 This definition expressly excludes Brant Blakeman as an alleged member of what
16 plaintiff alleges are the "Lunada Bay Boys." This definition expressly excludes the
17 actions or omissions of any other PERSON other than Brant Blakeman in his
18 individual capacity. This definition expressly excludes acts of PERSONS other than
19 Brant Blakeman that plaintiff attributes to Brant Blakeman under a theory of Civil
20 Conspiracy.

ADDRESS means the street address, including the city, state, and Zip code.

22 PERSON includes a natural person, firm, association, organization, partnership,
23 business, trust, limited liability company, corporation, or public entity.

24 DOCUMENT or WRITING is meant to includes the term "document" as used
25 in Federal Rule of Civil Procedure Rule 34, and "writing, recording, photograph,
26 original, and or duplicate" as such terms are defined in Federal Rules of Evidence
27 Rule 1001, and as the term "writing" as is defined in California Evidence Code
28 section 250, which states "'Writing' means handwriting, typewriting, printing,

1 photostating, photographing, photocopying, transmitting by electronic mail or
2 facsimile, and every other means of recording upon any tangible thing, any form of
3 communication or representation, including letters, words, pictures, sounds, or
4 symbols, or combinations thereof, and any record thereby created, regardless of the
5 manner in which the record has been stored."

6

7 IDENTIFY means to provide the name ADDRESS and telephone number or
8 sufficient information so that a PERSON or things may be subpoenaed and/or located
9 by a party.

10 IDENTIFY ALL DOCUMENTS means all documents known to the party
11 responding to the interrogatory or to that person's representatives, and without
12 limitation includes providing all ADDRESSES where the WRITING(S) are located so
13 that they can be subpoenaed for production and IDENTIFYING ALL PERSONS in
14 possession, custody, or control of the documents, or who has knowledge of the
15 location of such documents.

16 IDENTIFY ALL PERSONS means all persons known to the party responding
17 to the interrogatory or to that person's representatives, and without limitation includes
18 providing the current or last known ADDRESS and telephone number, and electronic
19 mail address in order to contact and subpoena such PERSON(S).

20

21 **INTERROGATORIES**

22

23 1. IDENTIFY ALL PERSONS that have knowledge of any facts that
24 support your contention that BRANT BLAKEMAN participated in any way in the
25 "commission of enumerated 'predicate crimes'" as alleged in paragraph 5 of the
26 Complaint , and for each such PERSON identified state all facts you contend are
27 within that PERSON's knowledge.

1 2. IDENTIFY ALL PERSONS that have knowledge of any facts that
2 support your contention in paragraph 7 of the Complaint that BRANT BLAKEMAN
3 "is responsible in some manner for the Bane Act violations and public nuisance
4 described in the Complaint" and for each such PERSON identified state all facts you
5 contend are within that PERSON's knowledge.

6
7 3. IDENTIFY ALL PERSONS that have knowledge of any facts that
8 support your contention in paragraph 18 of the Complaint that BRANT BLAKEMAN
9 "sell[s] market[s] and use[s] illegal controlled substances from the Lunada Bay Bluffs
10 and the Rock Fort" and for each such PERSON identified state all facts you contend
11 are within that PERSON's knowledge.

12
13 4. IDENTIFY ALL PERSONS that have knowledge of any facts that
14 support your contention in paragraph 18 of the Complaint that BLAKE BRANTMAN
15 "impede[d] boat traffic" at any time, and for each such PERSON identified state all
16 facts you contend are within that PERSON's knowledge.

17
18 5. IDENTIFY ALL PERSONS that have knowledge of any facts that
19 support your contention in paragraph 18 of the Complaint that BLAKE BRANTMAN
20 "dangerously disregard[ed] surfing rules" at any time, and for each such PERSON
21 identified state all facts you contend are within that PERSON's knowledge.

22
23 6. IDENTIFY ALL PERSONS that have knowledge of any facts that
24 support your contention that BLAKE BRANTMAN has illegally extorted money from
25 beachgoers who wish to use Lunada Bay for recreational purposes (See paragraph 33
26 j. of the Complaint), and for each such PERSON identified state all facts you
27 contend are within that PERSON's knowledge.

1 7. IDENTIFY ALL PERSONS that have knowledge of any facts that
2 support your contention that BLAKE BRANTMAN was a part of a Civil Conspiracy
3 as identified in your complaint in paragraphs 51 through 53, and for each such
4 PERSON identified state all facts you contend are within that PERSON's knowledge.

5
6 8. IDENTIFY ALL PERSONS that have knowledge of any facts that
7 support plaintiffs' First Cause of Action in the Complaint (Bane Act Violations)
8 against BRANT BLAKEMAN, and for each such PERSON identified state all facts
9 you contend are within that PERSON's knowledge.

10
11 9. IDENTIFY ALL PERSONS that have knowledge of any facts that
12 support plaintiffs' Second Cause of Action in the Complaint (Public Nuisance) against
13 BRANT BLAKEMAN, and for each such PERSON identified state all facts you
14 contend are within that PERSON's knowledge.

15
16 10. IDENTIFY ALL PERSONS that have knowledge of any facts that
17 support plaintiffs' Sixth Cause of Action in the Complaint (Assault) against BRANT
18 BLAKEMAN, and for each such PERSON identified state all facts you contend are
19 within that PERSON's knowledge.

20
21 11. IDENTIFY ALL PERSONS that have knowledge of any facts that
22 support plaintiffs' Seventh Cause of Action in the Complaint (Battery) against
23 BRANT BLAKEMAN, and for each such PERSON identified state all facts you
24 contend are within that PERSON's knowledge.

25
26 12. IDENTIFY ALL PERSONS that have knowledge of any facts that
27 support plaintiffs' Eighth Cause of Action in the Complaint (Negligence) against
28 BRANT BLAKEMAN, and for each such PERSON identified state all facts you

1 contend are within that PERSON's knowledge.

2
3 DATED: September 16, 2016

VEATCH CARLSON, LLP

4
5 By:
6


7 ROBERT T. MACKEY
8 PETER H. CROSSIN
9 RICHARD P. DIEFFENBACH
10 Attorneys for Defendant BRANT
11 BLAKEMAN

12 I:\WP\01008018\DISC-SPECIAL INTERROGS TO DIANA REED SET ONE.wpd

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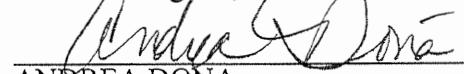
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USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

2	Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26 th Floor San Francisco, CA 94105	Attorneys for PLAINTIFFS Telephone: (415) 442-3200 Facsimile: (415) 541-9366 Email: kfranklin@hansonbridgett.com Email: swolff@hansonbridgett.com Email: clee@hansonbridgett.com
7	Tyson M. Shower, Esq. Landon D. Bailey, Esq. HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	Attorneys for PLAINTIFFS Telephone: (916) 442-3333 Facsimile: (916) 442-2348 Email: tshower@hansonbridgett.com
10	Edwin J. Richards, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 992614-8595	Attorneys for Defendants CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLY Telephone: (949) 417-0999 Facsimile: (949) 417-5394 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
15	J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant ALAN JOHNSTON aka JALIAN JOHNSTON Telephone: (310) 526-2237 Facsimile: (310) 526-2237 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
21	Peter R. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant MICHAEL RAY PAPAYANS Telephone: (310) 272-5353 Facsimile: (213) 477-2137 Email: peter@hblwfirm.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Facsimile: (213) 629-4520 Email: fields@markfieldslaw.com
2	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
3	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tara Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com Email: Tera.Lutz@lewisbrisbois.com
4	Laura Bell, Esq. William Lock, Esq. BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd., Suite 110 Woodland Hills, CA 91367	Attorney for Defendants, FRANK FERRARA and CHARLIE FERRARA Telephone: (818) 712-9800 Facsimile: (818) 712-9900 Email: lbell@bremerwhyte.com Email: wlocke@bremerwhyte.com
5	Daniel M. Crowley, Esq. BOOTH, MITCHEL & STRANGE LLP 707 Wilshire Blvd., Suite 4450 Los Angeles, CA 90017	Telephone: (213) 738-0100 Facsimile: (213) 380-3308 Email:
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1 **VEATCH CARLSON, LLP**
2 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
3 1055 WILSHIRE BOULEVARD, 11TH FLOOR
4 LOS ANGELES, CALIFORNIA 90017
5 TELEPHONE (213) 381-2861
6 FACSIMILE (213) 383-6370

(SPACE BELOW FOR FILING STAMP ONLY)

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5 rmackey@veatchfirm.com
6 **PETER H. CROSSIN**, State Bar No. 163189
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8 **RICHARD P. DIEFFENBACH**, State Bar No. 102663
9 rdieffenbach@veatchfirm.com

10 Attorneys for Defendant, **BRANT BLAKEMAN**

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

14 CORY SPENCER, an individual; }
15 DIANA MILENA REED, an individual; }
16 and COASTAL PROTECTION }
17 RANGERS, INC., a California non-profit
18 public benefit corporation, }

19 **CASE NO.: 2:16-CV-2129-SJO-RAO**
20 Assigned to Courtroom: 1
21 The Hon. S. James Otero

22 Plaintiffs, }

23 **INTERROGATORIES TO**
24 **PLAINTIFF COASTAL**
25 **PROTECTION RANGERS, INC.**
26 **(SET ONE)**

27 LUNADA BAY BOYS; THE }
28 INDIVIDUAL MEMBERS OF THE }
1 LUNADA BAY BOYS, including but not }
2 limited to SANG LEE, BRANT }
3 BLAKEMAN, ALAN JOHNSTON AKA }
4 JALIAN JOHNSTON, MICHAEL RAE }
5 PAPAYANS, ANGELO FERRARA, }
6 FRANK FERRARA, CHARLIE }
7 FERRARA, and N.F.; CITY OF PALOS }
8 VERDES ESTATES; CHIEF OF }
9 POLICE JEFF KEPLEY, in his }
10 representative capacity; and DOES
11 1-10, }

12 Defendants. }

13 ///

14 ///

1 PROPOUNDING PARTY: BRANT BLAKEMAN
2 RESPONDING PARTY : COASTAL PROTECTION RANGERS, INC.
3 SET NO. : ONE
4
5
6

TO PLAINTIFF COASTAL PROTECTION RANGERS, INC. AND TO ITS
ATTORNEYS OF RECORD: Defendant BRANT BLAKEMAN requests that you
answer the following interrogatories under oath, pursuant to Federal Rules of Civil
Procedure Rule 33 et seq. within thirty (30) days. Pursuant to Rule 33(1), the
interrogatories must be answered by the party to whom they are directed; or if that
party is a public or private corporation, a partnership, an association, or a
governmental agency, by any officer or agent, who must furnish the information
available to the party. The responding party must serve its answers and any
objections within 30 days after being served with the interrogatories. Each
interrogatory must, to the extent it is not objected to, be answered separately and fully
in writing under oath. Objections. The grounds for objecting to an interrogatory must
be stated with specificity. Any ground not stated in a timely objection is waived
unless the court, for good cause, excuses the failure. The person who makes the
answers must sign them, and the attorney who objects must sign any objections.

Option to Produce Business Records. If the answer to an interrogatory may be
determined by examining, auditing, compiling, abstracting, or summarizing a party's
business records (including electronically stored information), and if the burden of
deriving or ascertaining the answer will be substantially the same for either party, the
responding party may answer by:

(1) specifying the records that must be reviewed, in sufficient detail to enable the
interrogating party to locate and identify them as readily as the responding party
could; and

1 (2) giving the interrogating party a reasonable opportunity to examine and audit the
2 records and to make copies, compilations, abstracts, or summaries.

3 Your answers to these interrogatories must be verified, dated, and signed. You
4 may wish to use the following form at the end of your answers:

5 "I declare under penalty of perjury under the laws of the United
6 States and the State of California that the foregoing answers are true and correct.

7 Date

Signature"

8
9 **DEFINITIONS**

10 YOU or YOUR means the responding party to these requests.

11 YOU OR ANYONE ACTING ON YOUR BEHALF includes you, your agents,
12 your employees, your insurance companies, their agents, their employees, your
13 attorneys, your accountants, your investigators, and anyone else acting on your behalf.

14 BRANT BLAKEMAN means only Brant Blakeman in his individual capacity.
15 This definition expressly excludes Brant Blakeman as an alleged member of what
16 plaintiff alleges are the "Lunada Bay Boys." This definition expressly excludes the
17 actions or omissions of any other PERSON other than Brant Blakeman in his
18 individual capacity. This definition expressly excludes acts of PERSONS other than
19 Brant Blakeman that plaintiff attributes to Brant Blakeman under a theory of Civil
20 Conspiracy.

21 ADDRESS means the street address, including the city, state, and Zip code.

22 PERSON includes a natural person, firm, association, organization, partnership,
23 business, trust, limited liability company, corporation, or public entity.

24 DOCUMENT or WRITING is meant to include the term "document" as used
25 in Federal Rule of Civil Procedure Rule 34, and "writing, recording, photograph,
26 original, and or duplicate" as such terms are defined in Federal Rules of Evidence
27 Rule 1001, and as the term "writing" as is defined in California Evidence Code
28 section 250, which states "'Writing' means handwriting, typewriting, printing,

1 photostating, photographing, photocopying, transmitting by electronic mail or
2 facsimile, and every other means of recording upon any tangible thing, any form of
3 communication or representation, including letters, words, pictures, sounds, or
4 symbols, or combinations thereof, and any record thereby created, regardless of the
5 manner in which the record has been stored."

6
7 IDENTIFY means to provide the name ADDRESS and telephone number or
8 sufficient information so that a PERSON or things may be subpoenaed and/or located
9 by a party.

10 IDENTIFY ALL DOCUMENTS means all documents known to the party
11 responding to the interrogatory or to that person's representatives, and without
12 limitation includes providing all ADDRESSES where the WRITING(S) are located so
13 that they can be subpoenaed for production and IDENTIFYING ALL PERSONS in
14 possession, custody, or control of the documents, or who has knowledge of the
15 location of such documents.

16 IDENTIFY ALL PERSONS means all persons known to the party responding
17 to the interrogatory or to that person's representatives, and without limitation includes
18 providing the current or last known ADDRESS and telephone number, and electronic
19 mail address in order to contact and subpoena such PERSON(S).

20
21 **INTERROGATORIES**
22

23 1. IDENTIFY ALL PERSONS that have knowledge of any facts that
24 support your contention that BRANT BLAKEMAN participated in any way in the
25 "commission of enumerated 'predicate crimes'" as alleged in paragraph 5 of the
26 Complaint , and for each such PERSON identified state all facts you contend are
27 within that PERSON's knowledge.
28

1 2. IDENTIFY ALL PERSONS that have knowledge of any facts that
2 support your contention in paragraph 7 of the Complaint that BRANT BLAKEMAN
3 "is responsible in some manner for the Bane Act violations and public nuisance
4 described in the Complaint" and for each such PERSON identified state all facts you
5 contend are within that PERSON's knowledge.

6
7 3. IDENTIFY ALL PERSONS that have knowledge of any facts that
8 support your contention in paragraph 18 of the Complaint that BRANT BLAKEMAN
9 "sell[s] market[s] and use[s] illegal controlled substances from the Lunada Bay Bluffs
10 and the Rock Fort" and for each such PERSON identified state all facts you contend
11 are within that PERSON's knowledge.

12
13 4. IDENTIFY ALL PERSONS that have knowledge of any facts that
14 support your contention in paragraph 18 of the Complaint that BLAKE BRANTMAN
15 "impede[d] boat traffic" at any time, and for each such PERSON identified state all
16 facts you contend are within that PERSON's knowledge.

17
18 5. IDENTIFY ALL PERSONS that have knowledge of any facts that
19 support your contention in paragraph 18 of the Complaint that BLAKE BRANTMAN
20 "dangerously disregard[ed] surfing rules" at any time, and for each such PERSON
21 identified state all facts you contend are within that PERSON's knowledge.

22
23 6. IDENTIFY ALL PERSONS that have knowledge of any facts that
24 support your contention that BLAKE BRANTMAN has illegally extorted money from
25 beachgoers who wish to use Lunada Bay for recreational purposes (See paragraph 33
26 j. of the Complaint), and for each such PERSON identified state all facts you
27 contend are within that PERSON's knowledge.

1 7. IDENTIFY ALL PERSONS that have knowledge of any facts that
2 support your contention that BLAKE BRANTMAN was a part of a Civil Conspiracy
3 as identified in your complaint in paragraphs 51 through 53, and for each such
4 PERSON identified state all facts you contend are within that PERSON's knowledge.

5
6 8. IDENTIFY ALL PERSONS that have knowledge of any facts that
7 support plaintiffs' First Cause of Action in the Complaint (Bane Act Violations)
8 against BRANT BLAKEMAN, and for each such PERSON identified state all facts
9 you contend are within that PERSON's knowledge.

10
11 9. IDENTIFY ALL PERSONS that have knowledge of any facts that
12 support plaintiffs' Second Cause of Action in the Complaint (Public Nuisance) against
13 BRANT BLAKEMAN, and for each such PERSON identified state all facts you
14 contend are within that PERSON's knowledge.

15
16 10. IDENTIFY ALL PERSONS that have knowledge of any facts that
17 support plaintiffs' Sixth Cause of Action in the Complaint (Assault) against BRANT
18 BLAKEMAN, and for each such PERSON identified state all facts you contend are
19 within that PERSON's knowledge.

20
21 11. IDENTIFY ALL PERSONS that have knowledge of any facts that
22 support plaintiffs' Seventh Cause of Action in the Complaint (Battery) against
23 BRANT BLAKEMAN, and for each such PERSON identified state all facts you
24 contend are within that PERSON's knowledge.

25
26 12. IDENTIFY ALL PERSONS that have knowledge of any facts that
27 support plaintiffs' Eighth Cause of Action in the Complaint (Negligence) against
28 BRANT BLAKEMAN, and for each such PERSON identified state all facts you

1 contend are within that PERSON's knowledge.

2
3 DATED: September 16, 2016

VEATCH CARLSON, LLP

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I:\WP\01008018\DISC-SPECIAL INTERROGS TO COASTAL RANGERS SET ONE.wpd

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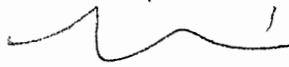
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By:


ROBERT T. MACKEY
PETER H. CROSSIN
RICHARD P. DIEFFENBACH
Attorneys for Defendant BRANT
BLAKEMAN

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444.

On September 16, 2016 I served the foregoing document described as
**INTERROGATORIES TO PLAINTIFF COASTAL PROTECTION RANGERS,
INC. (SET ONE)** on the interested parties in this action by placing a true copy thereof in a sealed
envelope addressed as follows:

Victor Otten, Esq.
Kavita Tekchandani, Esq.
OTTEN LAW PC
3620 Pacific Coast Highway, #100
Torrance, CA 90505
Telephone: (310) 378-8533
Facsimile: (310) 347-422
Attorneys for Plaintiffs

BY MAIL (C.C.P. §§ 1013a, *et seq.*): I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation or postage meter date is more than one day after date of deposit for mailing in affidavit.

ELECTRONIC MAIL SERVICE I served the above documents by electronic mail in the United States during normal business hours by causing the within document to be transmitted to the attorneys of record for the parties herein at the email address(es) of said attorney(s) as indicated above. The electronic service was in compliance with CRC Rule 2.251 and the transmission was reported as complete and without error. I am readily familiar with Veatch Carlson, LLP business practices for electronic service. :

BY PERSONAL SERVICE (C.C.P. §§ 1011, *et seq.*): I delivered such envelope(s) by hand to the offices of the addressee(s).

BY FACSIMILE TRANSMISSION from Facsimile No. (213) 383-6370 to the fax numbers listed below. The facsimile machine I used complied with Court Rule 2.306. Pursuant to Rule 2.306, I caused the machine to print a transmission confirmation report that showed the document was transmitted complete and without error and a copy is attached.

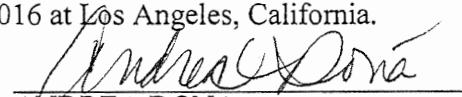
BY EXPRESS MAIL (C.C.P. §§ 1013(c)(d), *et seq.*): I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier as an express mail envelope, with fees and postage prepaid.

BY REGISTERED MAIL (C.C.P. §§ 1020, *et seq.*): I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by the addressee that said documents were received.

STATE: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

X **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 16, 2016 at Los Angeles, California.


ANDREA DONA

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

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INC. (SET ONE)** on the interested parties in this action by placing a true copy thereof in a sealed
envelope addressed as follows:

SEE ATTACHED SERVICE LIST

- X **BY MAIL** (C.C.P. §§ 1013a, *et seq.*): I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation or postage meter date is more than one day after date of deposit for mailing in affidavit.

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X **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 16, 2016 at Los Angeles, California.

Andrea Dona
ANDREA DONA

SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

2 Kurt A. Franklin, Esq. 3 Samantha Wolff, Esq. 4 Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26 th Floor San Francisco, CA 94105	1 Attorneys for PLAINTIFFS Telephone: (415) 442-3200 Facsimile: (415) 541-9366 Email: kfranklin@hansonbridgett.com Email: swolff@hansonbridgett.com Email: clee@hansonbridgett.com
7 Tyson M. Shower, Esq. 8 Landon D. Bailey, Esq. 9 HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	7 Attorneys for PLAINTIFFS Telephone: (916) 442-3333 Facsimile: (916) 442-2348 Email: tshower@hansonbridgett.com
10 Edwin J. Richards, Esq. 11 KUTAK ROCK LLP 12 5 Park Plaza, Suite 1500 13 Irvine, CA 992614-8595	10 Attorneys for Defendants CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLY Telephone: (949) 417-0999 Facsimile: (949) 417-5394 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
15 J. Patrick Carey, Esq. 16 LAW OFFICES OF J. PATRICK CAREY 17 1230 Rosecrans Avenue, Suite 300 18 Manhattan Beach, CA 90266	15 Attorney for Defendant ALAN JOHNSTON aka JALIAN JOHNSTON Telephone: (310) 526-2237 Facsimile: (310) 526-2237 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
21 Peter R. Haven, Esq. 22 HAVEN LAW 23 1230 Rosecrans Avenue, Suite 300 24 Manhattan Beach, CA 90266	21 Attorney for Defendant MICHAEL RAY PAPAYANS Telephone: (310) 272-5353 Facsimile: (213) 477-2137 Email: peter@hblwfir.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Facsimile: (213) 629-4520 Email: fields@markfieldslaw.com
2	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
3	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tara Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com Email: Tera.Lutz@lewisbrisbois.com
4	Laura Bell, Esq. William Lock, Esq. BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd., Suite 110 Woodland Hills, CA 91367	Attorney for Defendants, FRANK FERRARA and CHARLIE FERRARA Telephone: (818) 712-9800 Facsimile: (818) 712-9900 Email: lbell@bremerwhyte.com Email: wlocke@bremerwhyte.com
5	Daniel M. Crowley, Esq. BOOTH, MITCHEL & STRANGE LLP 707 Wilshire Blvd., Suite 4450 Los Angeles, CA 90017	Telephone: (213) 738-0100 Facsimile: (213) 380-3308 Email:
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EXHIBIT 8

1 **VEATCH CARLSON, LLP**
2 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
3 1055 WILSHIRE BOULEVARD, 11TH FLOOR
4 LOS ANGELES, CALIFORNIA 90017
5 TELEPHONE (213) 381-2861
6 FACSIMILE (213) 383-6370

(SPACE BELOW FOR FILING STAMP ONLY)

4 **ROBERT T. MACKEY**, State Bar No. 210810
5 **rmackey@veatchfirm.com**
6 **PETER H. CROSSIN**, State Bar No. 163189
7 **pcrossin@veatchfirm.com**
8 **RICHARD P. DIEFFENBACH**, State Bar No. 102663
9 **rdieffenbach@veatchfirm.com**

10 Attorneys for Defendant, **BRANT BLAKEMAN**

9
10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

12 CORY SPENCER, an individual; }
13 DIANA MILENA REED, an individual; }
14 and COASTAL PROTECTION }
15 RANGERS, INC., a California non-profit }
16 public benefit corporation,

17 **CASE NO.: 2:16-CV-2129-SJO-RAO**
18 Assigned to Courtroom: 1
19 The Hon. S. James Otero

20 **REQUESTS FOR PRODUCTION**
21 **OF DOCUMENTS TO PLAINTIFF**
22 **CORY SPENCER (SET ONE)**

23 Plaintiffs,

24 vs.

25 LUNADA BAY BOYS; THE }
26 INDIVIDUAL MEMBERS OF THE }
27 LUNADA BAY BOYS, including but not }
28 limited to SANG LEE, BRANT }
 }
 }
 }

29 Defendants.

30 ///

31 ///

1
2 PROPOUNDING PARTY: BRANT BLAKEMAN
3 RESPONDING PARTY : CORY SPENCER
4 SET NO. : ONE
5

6 TO PLAINTIFF CORY SPENCER, AND TO HIS ATTORNEYS OF
7 RECORD: Defendant BRANT BLAKEMAN requests that you respond to the
8 requests and produce the documents requested under oath, pursuant to Federal Rules
9 of Civil Procedure Rule 34 et seq. within thirty (30) days. Pursuant to Rule 34, the
10 requests must be answered by the party to whom they are directed; or if that party is a
11 public or private corporation, a partnership, an association, or a governmental agency,
12 by any officer or agent, who must furnish the information available to the party. The
13 responding party must serve its answers and any objections within 30 days after being
14 served with the requests.

15
16 (A) Time to Respond. The party to whom the request is directed must
17 respond in writing within 30 days after being served.

18
19 (B) Responding to Each Item. For each item or category, the response
20 must either state that inspection and related activities will be permitted as requested or
21 state with specificity the grounds for objecting to the request, including the reasons.
22 The responding party may state that it will produce copies of documents or of
23 electronically stored information instead of permitting inspection. The production
24 must then be completed no later than the time for inspection specified in the request or
25 another reasonable time specified in the response.

26
27 (C) Objections. An objection must state whether any responsive materials
28 are being withheld on the basis of that objection. An objection to part of a request

1 must specify the part and permit inspection of the rest.
2

3 (D) Responding to a Request for Production of Electronically Stored
4 Information. The response may state an objection to a requested form for producing
5 electronically stored information. If the responding party objects to a requested
6 form—or if no form was specified in the request—the party must state the form or
7 forms it intends to use.

8 (E) Producing the Documents or Electronically Stored Information.
9 Unless otherwise stipulated or ordered by the court, these procedures apply to
10 producing documents or electronically stored information:

11 (i) A party must produce documents as they are kept in the usual course
12 of business or must organize and label them to correspond to the categories in the
13 request;

14 (ii) If a request does not specify a form for producing electronically
15 stored information, a party must produce it in a form or forms in which it is ordinarily
16 maintained or in a reasonably usable form or forms; and

17 (iii) A party need not produce the same electronically stored information
18 in more than one form.

19 Your answers to these requests must be verified, dated, and signed. You may
20 wish to use the following form at the end of your answers:

21 "I declare under penalty of perjury under the laws of the United States and the
22 State of California that the foregoing answers are true and correct.

23 Date

24 Signature"

DEFINITIONS

YOU or YOUR means the responding party to these requests.

YOU OR ANYONE ACTING ON YOUR BEHALF includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.

BRANT BLAKEMAN means only Brant Blakeman in his individual capacity.

7 This definition expressly excludes Brant Blakeman as an alleged member of what
8 plaintiff alleges are the "Lunada Bay Boys." This definition expressly excludes the
9 actions or omissions of any other PERSON other than Brant Blakeman in his
10 individual capacity. This definition expressly excludes acts of PERSONS other than
11 Brant Blakeman that plaintiff attributes to Brant Blakeman under a theory of Civil
12 Conspiracy.

ADDRESS means the street address, including the city, state, and Zip code.

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DOCUMENT or WRITING is meant to includes the term "document" as used in Federal Rule of Civil Procedure Rule 34, and "writing, recording, photograph, original, and or duplicate" as such terms are defined in Federal Rules of Evidence Rule 1001, and as the term "writing" as is defined in California Evidence Code section 250, which states "'Writing' means handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored."

IDENTIFY means to provide the name ADDRESS and telephone number or sufficient information so that a PERSON or things may be subpoenaed and/or located

1 by a party.

2 IDENTIFY ALL DOCUMENTS means all documents known to the party
3 responding to the interrogatory or to that person's representatives, and without
4 limitation includes providing all ADDRESSES where the WRITING(S) are located so
5 that they can be subpoenaed for production and IDENTIFYING ALL PERSONS in
6 possession, custody, or control of the documents, or who has knowledge of the
7 location of such documents.

8 IDENTIFY ALL PERSONS means all persons known to the party responding
9 to the interrogatory or to that person's representatives, and without limitation includes
10 providing the current or last known ADDRESS and telephone number, and electronic
11 mail address in order to contact and subpoena such PERSON(S).

12

13 **DOCUMENT REQUESTS**

14 Please identify and produce:

15 1. Any and all DOCUMENTS that support your contention that any
16 BRANT BLAKEMAN participated in any way in the "commission of enumerated
17 'predicate crimes'" as alleged in paragraph 5 of the Complaint.

18 2. Any and all DOCUMENTS that support your contention in paragraph 7
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24 4. Any and all DOCUMENTS that support your contention in paragraph 18
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1 5. Any and all DOCUMENTS that support your contention in paragraph 18
2 of the Complaint that BLAKE BRANTMAN "dangerously disregard[ed] surfing
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5 6. Any and all DOCUMENTS that support your contention that BLAKE
6 BRANTMAN has illegally extorted money from beachgoers who wish to use Lunada
7 Bay for recreational purposes. (See paragraph 33 j. of the Complaint.)

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9 7. Any and all DOCUMENTS that support your contention that BLAKE
10 BRANTMAN was a part of a Civil Conspiracy as identified in your complaint in
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13 8. Any and all DOCUMENTS that support plaintiffs' First Cause of Action
14 in the Complaint (Bane Act Violations) against BRANT BLAKEMAN.

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20 in the Complaint (Assault) against BRANT BLAKEMAN.

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22 11. Any and all DOCUMENTS that support plaintiffs' Seventh Cause of
23 Action in the Complaint (Battery) against BRANT BLAKEMAN.

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1 12. Any and all DOCUMENTS that support plaintiffs' Eighth Cause of
2 Action in the Complaint (Negligence) against BRANT BLAKEMAN.
3
4

5 DATED: September 16, 2016

VEATCH CARLSON, LLP

6
7 By:
8


9 ROBERT T. MACKEY
10 PETER H. CROSSIN
11 RICHARD P. DIEFFENBACH
12 Attorneys for Defendant BRANT
13 BLAKEMAN

I:\WP\01008018\DISC-RFP TO CORY SPENCER SET ONE.wpd

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444.

On September 16, 2016 I served the foregoing document described as **REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF CORY SPENCER (SET ONE)** on the interested parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

Victor Otten, Esq.
Kavita Tekchandani, Esq.
OTTEN LAW PC
3620 Pacific Coast Highway, #100
Torrance, CA 90505
Telephone: (310) 378-8533
Facsimile: (310) 347-422
Attorneys for Plaintiffs

- BY MAIL** (C.C.P. §§ 1013a, *et seq.*): I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation or postage meter date is more than one day after date of deposit for mailing in affidavit.

ELECTRONIC MAIL SERVICE I served the above documents by electronic mail in the United States during normal business hours by causing the within document to be transmitted to the attorneys of record for the parties herein at the email address(es) of said attorney(s) as indicated above. The electronic service was in compliance with CRC Rule 2.251 and the transmission was reported as complete and without error. I am readily familiar with Veatch Carlson, LLP business practices for electronic service. :

BY PERSONAL SERVICE (C.C.P. §§ 1011, *et seq.*): I delivered such envelope(s) by hand to the offices of the addressee(s).

BY FACSIMILE TRANSMISSION from Facsimile No. (213) 383-6370 to the fax numbers listed below. The facsimile machine I used complied with Court Rule 2.306. Pursuant to Rule 2.306, I caused the machine to print a transmission confirmation report that showed the document was transmitted complete and without error and a copy is attached.

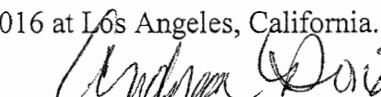
BY EXPRESS MAIL (C.C.P. §§ 1013(c)(d), *et seq.*): I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier as an express mail envelope, with fees and postage prepaid.

BY REGISTERED MAIL (C.C.P. §§ 1020, *et seq.*): I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by the addressee that said documents were received.

STATE: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 16, 2016 at Los Angeles, California.


ANDREA DONA

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SEE ATTACHED SERVICE LIST

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Executed on September 16, 2016 at Los Angeles, California.

ANDREA DONA

SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

1 USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

2 Kurt A. Franklin, Esq. 3 Samantha Wolff, Esq. 4 Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26 th Floor San Francisco, CA 94105	5 Attorneys for PLAINTIFFS 6 Telephone: (415) 442-3200 Facsimile: (415) 541-9366 7 Email: kfranklin@hansonbridgett.com Email: swoff@hansonbridgett.com Email: clee@hansonbridgett.com
8 Tyson M. Shower, Esq. Landon D. Bailey, Esq. HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	9 Attorneys for PLAINTIFFS 10 Telephone: (916) 442-3333 Facsimile: (916) 442-2348 11 Email: tshower@hansonbridgett.com
12 Edwin J. Richards, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 992614-8595	13 Attorneys for Defendants 14 CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLEY 15 Telephone: (949) 417-0999 Facsimile: (949) 417-5394 16 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
17 J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	18 Attorney for Defendant 19 ALAN JOHNSTON aka JALIAN JOHNSTON 20 Telephone: (310) 526-2237 Facsimile: (310) 526-2237 21 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
22 Peter R. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	23 Attorney for Defendant 24 MICHAEL RAY PAPAYANS 25 Telephone: (310) 272-5353 Facsimile: (213) 477-2137 26 Email: peter@hblwfir.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Facsimile: (213) 629-4520 Email: fields@markfieldslaw.com
2	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
3	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tara Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com Email: Tera.Lutz@lewisbrisbois.com
4	Laura Bell, Esq. William Lock, Esq. BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd., Suite 110 Woodland Hills, CA 91367	Attorney for Defendants, FRANK FERRARA and CHARLIE FERRARA Telephone: (818) 712-9800 Facsimile: (818) 712-9900 Email: lbell@bremerwhyte.com Email: wlocke@bremerwhyte.com
5	Daniel M. Crowley, Esq. BOOTH, MITCHEL & STRANGE LLP 707 Wilshire Blvd., Suite 4450 Los Angeles, CA 90017	Telephone: (213) 738-0100 Facsimile: (213) 380-3308 Email:
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1 **VEATCH CARLSON, LLP**
2 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
3 1055 WILSHIRE BOULEVARD, 11TH FLOOR
4 LOS ANGELES, CALIFORNIA 90017
5 TELEPHONE (213) 381-2861
6 FACSIMILE (213) 383-6370

(SPACE BELOW FOR FILING STAMP ONLY)

4 **ROBERT T. MACKEY**, State Bar No. 210810
5 rmackey@veatchfirm.com
6 **PETER H. CROSSIN**, State Bar No. 163189
7 pcrossin@veatchfirm.com
8 **RICHARD P. DIEFFENBACH**, State Bar No. 102663
9 rdieffenbach@veatchfirm.com

10 Attorneys for Defendant, **BRANT BLAKEMAN**

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

14 CORY SPENCER, an individual; }
15 DIANA MILENA REED, an individual; }
16 and COASTAL PROTECTION }
17 RANGERS, INC., a California non-profit
18 public benefit corporation,

19 Plaintiffs, }
20 vs.
21 LUNADA BAY BOYS; THE }
22 INDIVIDUAL MEMBERS OF THE }
23 LUNADA BAY BOYS, including but not
24 limited to SANG LEE, BRANT
25 BLAKEMAN, ALAN JOHNSTON AKA
26 JALIAN JOHNSTON, MICHAEL RAE
27 PAPAYANS, ANGELO FERRARA,
28 FRANK FERRARA, CHARLIE
 FERRARA, and N.F.; CITY OF PALOS
 VERDES ESTATES; CHIEF OF
 POLICE JEFF KEPLEY, in his
 representative capacity; and DOES
 1-10,

29 Defendants. }

30 CASE NO.: 2:16-CV-2129-SJO-RAO
31 Assigned to Courtroom: 1
32 The Hon. S. James Otero

33 **REQUESTS FOR PRODUCTION
34 OF DOCUMENTS TO PLAINTIFF
35 DIANA MILENA REED (SET ONE)**

36 ///

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1
2 PROPOUNDING PARTY: BRANT BLAKEMAN
3 RESPONDING PARTY : DIANA MILENA REED
4 SET NO. : ONE
5

6 TO PLAINTIFF DIANA MILENA REED, AND TO HER ATTORNEYS OF
7 RECORD: Defendant BRANT BLAKEMAN requests that you respond to the
8 requests and produce the documents requested under oath, pursuant to Federal Rules
9 of Civil Procedure Rule 34 et seq. within thirty (30) days. Pursuant to Rule 34, the
10 requests must be answered by the party to whom they are directed; or if that party is a
11 public or private corporation, a partnership, an association, or a governmental agency,
12 by any officer or agent, who must furnish the information available to the party. The
13 responding party must serve its answers and any objections within 30 days after being
14 served with the requests.

15
16 (A) Time to Respond. The party to whom the request is directed must respond
17 in writing within 30 days after being served.

18
19 (B) Responding to Each Item. For each item or category, the response must
20 either state that inspection and related activities will be permitted as requested or state
21 with specificity the grounds for objecting to the request, including the reasons. The
22 responding party may state that it will produce copies of documents or of
23 electronically stored information instead of permitting inspection. The production
24 must then be completed no later than the time for inspection specified in the request or
25 another reasonable time specified in the response.

26
27 (C) Objections. An objection must state whether any responsive materials are
28 being withheld on the basis of that objection. An objection to part of a request must

1 specify the part and permit inspection of the rest.

2
3 (D) Responding to a Request for Production of Electronically Stored
4 Information. The response may state an objection to a requested form for producing
5 electronically stored information. If the responding party objects to a requested
6 form—or if no form was specified in the request—the party must state the form or
7 forms it intends to use.

8
9 (E) Producing the Documents or Electronically Stored Information. Unless
10 otherwise stipulated or ordered by the court, these procedures apply to producing
11 documents or electronically stored information:

12
13 (i) A party must produce documents as they are kept in the usual course
14 of business or must organize and label them to correspond to the categories in the
15 request;

16
17 (ii) If a request does not specify a form for producing electronically
18 stored information, a party must produce it in a form or forms in which it is ordinarily
19 maintained or in a reasonably usable form or forms; and

20
21 (iii) A party need not produce the same electronically stored information
22 in more than one form.

23 Your answers to these requests must be verified, dated, and signed. You may
24 wish to use the following form at the end of your answers:

25 "I declare under penalty of perjury under the laws of the United States and the
26 State of California that the foregoing answers are true and correct.

27 Date

Signature"

1
2 **DEFINITIONS**

3 YOU or YOUR means the responding party to these requests.

4 YOU OR ANYONE ACTING ON YOUR BEHALF includes you, your agents,
5 your employees, your insurance companies, their agents, their employees, your
6 attorneys, your accountants, your investigators, and anyone else acting on your behalf.

7 BRANT BLAKEMAN means only Brant Blakeman in his individual capacity.
8 This definition expressly excludes Brant Blakeman as an alleged member of what
9 plaintiff alleges are the "Lunada Bay Boys." This definition expressly excludes the
10 actions or omissions of any other PERSON other than Brant Blakeman in his
11 individual capacity. This definition expressly excludes acts of PERSONS other than
12 Brant Blakeman that plaintiff attributes to Brant Blakeman under a theory of Civil
13 Conspiracy.

14 ADDRESS means the street address, including the city, state, and Zip code.

15 PERSON includes a natural person, firm, association, organization, partnership,
16 business, trust, limited liability company, corporation, or public entity.

17 DOCUMENT or WRITING is meant to include the term "document" as used
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3
4 DATED: September 16, 2016

VEATCH CARLSON, LLP

5
6 By:
7


ROBERT T. MACKEY
PETER H. CROSSIN
RICHARD P. DIEFFENBACH
Attorneys for Defendant **BRANT**
BLAKEMAN

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11 I:\WP\01008018\DISC-RFP TO DIANA REED SET ONE.wpd

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10 Kavita Tekchandani, Esq.
11 OTTEN LAW PC
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15 Facsimile: (310) 347-422
16 Attorneys for Plaintiffs

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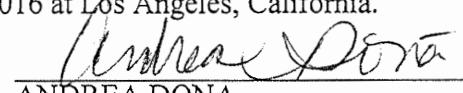
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Andrea Dona
ANDREA DONA

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— **BY PERSONAL SERVICE** (C.C.P. §§ 1011, *et seq.*): I delivered such envelope(s) by hand to the offices of the addressee(s).

— **BY FACSIMILE TRANSMISSION** from Facsimile No. (213) 383-6370 to the fax numbers listed below. The facsimile machine I used complied with Court Rule 2.306. Pursuant to Rule 2.306, I caused the machine to print a transmission confirmation report that showed the document was transmitted complete and without error and a copy is attached.

— **BY EXPRESS MAIL** (C.C.P. §§ 1013(c)(d), *et seq.*): I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier as an express mail envelope, with fees and postage prepaid.

— **BY REGISTERED MAIL** (C.C.P. §§ 1020, *et seq.*): I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by the addressee that said documents were received.

— **STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

X **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 16, 2016 at Los Angeles, California.

ANDREA DONA

SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

1 USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

2	Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26 th Floor San Francisco, CA 94105	Attorneys for PLAINTIFFS Telephone: (415) 442-3200 Facsimile: (415) 541-9366 Email: kfranklin@hansonbridgett.com Email: swolff@hansonbridgett.com Email: clee@hansonbridgett.com
7	Tyson M. Shower, Esq. Landon D. Bailey, Esq. HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	Attorneys for PLAINTIFFS Telephone: (916) 442-3333 Facsimile: (916) 442-2348 Email: tshower@hansonbridgett.com
10	Edwin J. Richards, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 992614-8595	Attorneys for Defendants CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLY Telephone: (949) 417-0999 Facsimile: (949) 417-5394 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
15	J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant ALAN JOHNSTON aka JALIAN JOHNSTON Telephone: (310) 526-2237 Facsimile: (310) 526-2237 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
21	Peter R. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant MICHAEL RAY PAPAYANS Telephone: (310) 272-5353 Facsimile: (213) 477-2137 Email: peter@hblwfir.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Facsimile: (213) 629-4520 Email: fields@markfieldslaw.com
2	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
3	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tara Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com Email: Tera.Lutz@lewisbrisbois.com
4	Laura Bell, Esq. William Lock, Esq. BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd., Suite 110 Woodland Hills, CA 91367	Attorney for Defendants, FRANK FERRARA and CHARLIE FERRARA Telephone: (818) 712-9800 Facsimile: (818) 712-9900 Email: lbell@bremerwhyte.com Email: wlocke@bremerwhyte.com
5	Daniel M. Crowley, Esq. BOOTH, MITCHEL & STRANGE LLP 707 Wilshire Blvd., Suite 4450 Los Angeles, CA 90017	Telephone: (213) 738-0100 Facsimile: (213) 380-3308 Email:
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1 **VEATCH CARLSON, LLP**
2 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
3 1055 WILSHIRE BOULEVARD, 11TH FLOOR
4 LOS ANGELES, CALIFORNIA 90017
5 TELEPHONE (213) 381-2861
6 FACSIMILE (213) 383-6370

(SPACE BELOW FOR FILING STAMP ONLY)

4 **ROBERT T. MACKEY**, State Bar No. 210810
5 rmackey@veatchfirm.com
6 **PETER H. CROSSIN**, State Bar No. 163189
7 pcrossin@veatchfirm.com
8 **RICHARD P. DIEFFENBACH**, State Bar No. 102663
9 rdieffenbach@veatchfirm.com

10 Attorneys for Defendant, **BRANT BLAKEMAN**

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

14 CORY SPENCER, an individual; }
15 DIANA MILENA REED, an individual; }
16 and COASTAL PROTECTION }
17 RANGERS, INC., a California non-profit
18 public benefit corporation,

19 CASE NO.: 2:16-CV-2129-SJO-RAO
20 Assigned to Courtroom: 1
21 The Hon. S. James Otero

22 **REQUESTS FOR PRODUCTION
23 OF DOCUMENTS TO PLAINTIFF
24 COASTAL PROTECTION
25 RANGERS, INC. (SET ONE)**

26 LUNADA BAY BOYS; THE }
27 INDIVIDUAL MEMBERS OF THE }
28 LUNADA BAY BOYS, including but not }
 limited to SANG LEE, BRANT }
 BLAKEMAN, ALAN JOHNSTON AKA }
 JALIAN JOHNSTON, MICHAEL RAE }
 PAPAYANS, ANGELO FERRARA, }
 FRANK FERRARA, CHARLIE }
 FERRARA, and N.F.; CITY OF PALOS }
 VERDES ESTATES; CHIEF OF }
 POLICE JEFF KEPLEY, in his }
 representative capacity; and DOES }
 1-10,

29 Defendants.

30 ///

31 ///

1 PROPOUNDING PARTY: BRANT BLAKEMAN
2 RESPONDING PARTY : COASTAL PROTECTION RANGERS, INC.,
3 SET NO. : ONE
4

5 TO PLAINTIFF COASTAL PROTECTION RANGERS, INC., AND TO ITS
6 ATTORNEYS OF RECORD: Defendant BRANT BLAKEMAN requests that you
7 respond to the requests and produce the documents requested under oath, pursuant to
8 Federal Rules of Civil Procedure Rule 34 et seq. within thirty (30) days. Pursuant to
9 Rule 34, the requests must be answered by the party to whom they are directed; or if
10 that party is a public or private corporation, a partnership, an association, or a
11 governmental agency, by any officer or agent, who must furnish the information
12 available to the party. The responding party must serve its answers and any
13 objections within 30 days after being served with the requests.
14

15 (A) Time to Respond. The party to whom the request is directed must respond
16 in writing within 30 days after being served.
17

18 (B) Responding to Each Item. For each item or category, the response must
19 either state that inspection and related activities will be permitted as requested or state
20 with specificity the grounds for objecting to the request, including the reasons. The
21 responding party may state that it will produce copies of documents or of
22 electronically stored information instead of permitting inspection. The production
23 must then be completed no later than the time for inspection specified in the request or
24 another reasonable time specified in the response.
25

26 (C) Objections. An objection must state whether any responsive materials are
27 being withheld on the basis of that objection. An objection to part of a request must
28

1 specify the part and permit inspection of the rest.

2
3 (D) Responding to a Request for Production of Electronically Stored
4 Information. The response may state an objection to a requested form for producing
5 electronically stored information. If the responding party objects to a requested
6 form—or if no form was specified in the request—the party must state the form or
7 forms it intends to use.

8
9 (E) Producing the Documents or Electronically Stored Information. Unless
10 otherwise stipulated or ordered by the court, these procedures apply to producing
11 documents or electronically stored information:

12
13 (i) A party must produce documents as they are kept in the usual course
14 of business or must organize and label them to correspond to the categories in the
15 request;

16
17 (ii) If a request does not specify a form for producing electronically
18 stored information, a party must produce it in a form or forms in which it is ordinarily
19 maintained or in a reasonably usable form or forms; and

20
21 (iii) A party need not produce the same electronically stored information
22 in more than one form.

23 Your answers to these requests must be verified, dated, and signed. You may
24 wish to use the following form at the end of your answers:

25 "I declare under penalty of perjury under the laws of the United States and the
26 State of California that the foregoing answers are true and correct."

27 Date

Signature"

1
2 **DEFINITIONS**

3 YOU or YOUR means the responding party to these requests.

4 YOU OR ANYONE ACTING ON YOUR BEHALF includes you, your agents,
5 your employees, your insurance companies, their agents, their employees, your
6 attorneys, your accountants, your investigators, and anyone else acting on your behalf.

7 BRANT BLAKEMAN means only Brant Blakeman in his individual capacity.
8 This definition expressly excludes Brant Blakeman as an alleged member of what
9 plaintiff alleges are the "Lunada Bay Boys." This definition expressly excludes the
10 actions or omissions of any other PERSON other than Brant Blakeman in his
11 individual capacity. This definition expressly excludes acts of PERSONS other than
12 Brant Blakeman that plaintiff attributes to Brant Blakeman under a theory of Civil
13 Conspiracy.

14 ADDRESS means the street address, including the city, state, and Zip code.

15 PERSON includes a natural person, firm, association, organization, partnership,
16 business, trust, limited liability company, corporation, or public entity.

17 DOCUMENT or WRITING is meant to include the term "document" as used
18 in Federal Rule of Civil Procedure Rule 34, and "writing, recording, photograph,
19 original, and or duplicate" as such terms are defined in Federal Rules of Evidence
20 Rule 1001, and as the term "writing" as is defined in California Evidence Code
21 section 250, which states "'Writing' means handwriting, typewriting, printing,
22 photostating, photographing, photocopying, transmitting by electronic mail or
23 facsimile, and every other means of recording upon any tangible thing, any form of
24 communication or representation, including letters, words, pictures, sounds, or
25 symbols, or combinations thereof, and any record thereby created, regardless of the
26 manner in which the record has been stored."

27
28 IDENTIFY means to provide the name ADDRESS and telephone number or

1 sufficient information so that a PERSON or things may be subpoenaed and/or located
2 by a party.

3 IDENTIFY ALL DOCUMENTS means all documents known to the party
4 responding to the interrogatory or to that person's representatives, and without
5 limitation includes providing all ADDRESSES where the WRITING(S) are located so
6 that they can be subpoenaed for production and IDENTIFYING ALL PERSONS in
7 possession, custody, or control of the documents, or who has knowledge of the
8 location of such documents.

9 IDENTIFY ALL PERSONS means all persons known to the party responding
10 to the interrogatory or to that person's representatives, and without limitation includes
11 providing the current or last known ADDRESS and telephone number, and electronic
12 mail address in order to contact and subpoena such PERSON(S).

13

14 **DOCUMENT REQUESTS**

15 Please identify and produce:

16 1. Any and all DOCUMENTS that support your contention that any
17 BRANT BLAKEMAN participated in any way in the "commission of enumerated
18 'predicate crimes'" as alleged in paragraph 5 of the Complaint.

19

20 2. Any and all DOCUMENTS that support your contention in paragraph 7
21 of the Complaint that BRANT BLAKEMAN "is responsible in some manner for the
22 Bane Act violations and public nuisance described in the Complaint."

23

24 3. Any and all DOCUMENTS that support your contention in paragraph 18
25 of the Complaint that BRANT BLAKEMAN "sell[s] market[s] and use[s] illegal
26 controlled substances from the Lunada Bay Bluffs and the Rock Fort."

27

28 4. Any and all DOCUMENTS that support your contention in paragraph 18

1 of the Complaint that BLAKE BRANTMAN "impede[d] boat traffic" at any time.
2

3 5. Any and all DOCUMENTS that support your contention in paragraph 18
4 of the Complaint that BLAKE BRANTMAN "dangerously disregard[ed] surfing
5 rules" at any time.

6 6. Any and all DOCUMENTS that support your contention that BLAKE
7 BRANTMAN has illegally extorted money from beachgoers who wish to use Lunada
8 Bay for recreational purposes. (See paragraph 33 j. of the Complaint.)

9 7. Any and all DOCUMENTS that support your contention that BLAKE
10 BRANTMAN was a part of a Civil Conspiracy as identified in your complaint in
11 paragraphs 51 through 53.

12 8. Any and all DOCUMENTS that support plaintiffs' First Cause of Action
13 in the Complaint (Bane Act Violations) against BRANT BLAKEMAN.

14 9. Any and all DOCUMENTS that support plaintiffs' Second Cause of
15 Action in the Complaint (Public Nuisance) against BRANT BLAKEMAN.

16 10. Any and all DOCUMENTS that support plaintiffs' Sixth Cause of Action
17 in the Complaint (Assault) against BRANT BLAKEMAN.

18 11. Any and all DOCUMENTS that support plaintiffs' Seventh Cause of
19 Action in the Complaint (Battery) against BRANT BLAKEMAN.

20 ///

21 ///

22 ///

1 12. Any and all DOCUMENTS that support plaintiffs' Eighth Cause of
2 Action in the Complaint (Negligence) against BRANT BLAKEMAN.
3
4

5 DATED: September 16, 2016

VEATCH CARLSON, LLP

6
7 By:
8


9 **ROBERT T. MACKEY**
10 **PETER H. CROSSIN**
11 **RICHARD P. DIEFFENBACH**
12 Attorneys for Defendant **BRANT**
13 **BLAKEMAN**

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15 I:\WP\01008018\DISC-request for production to coastal rangers set one.wpd
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444.

On September 16, 2016 I served the foregoing document described as **REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF COASTAL PROTECTION RANGERS, INC. (SET ONE)** on the interested parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

Victor Otten, Esq.
Kavita Tekchandani, Esq.
OTTEN LAW PC
3620 Pacific Coast Highway, #100
Torrance, CA 90505
Telephone: (310) 378-8533
Facsimile: (310) 347-422
Attorneys for Plaintiffs

BY MAIL (C.C.P. §§ 1013a, *et seq.*): I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation or postage meter date is more than one day after date of deposit for mailing in affidavit.

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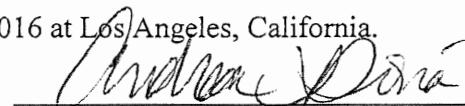
BY EXPRESS MAIL (C.C.P. §§ 1013(c)(d), *et seq.*): I caused said document(s) to be deposited with an express service carrier in a sealed envelope designed by the carrier as an express mail envelope, with fees and postage prepaid.

BY REGISTERED MAIL (C.C.P. §§ 1020, *et seq.*): I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by the addressee that said documents were received.

STATE: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 16, 2016 at Los Angeles, California.


Andrea Dona
ANDREA DONA

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SEE ATTACHED SERVICE LIST

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Executed on September 16, 2016 at Los Angeles, California.

Andrea Dona
ANDREA DONA

SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

1 USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

2	Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26 th Floor San Francisco, CA 94105	Attorneys for PLAINTIFFS Telephone: (415) 442-3200 Facsimile: (415) 541-9366 Email: kfranklin@hansonbridgett.com Email: swolff@hansonbridgett.com Email: clee@hansonbridgett.com
7	Tyson M. Shower, Esq. Landon D. Bailey, Esq. HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	Attorneys for PLAINTIFFS Telephone: (916) 442-3333 Facsimile: (916) 442-2348 Email: tshower@hansonbridgett.com
10	Edwin J. Richards, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 992614-8595	Attorneys for Defendants CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLEY Telephone: (949) 417-0999 Facsimile: (949) 417-5394 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
15	J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant ALAN JOHNSTON aka JALIAN JOHNSTON Telephone: (310) 526-2237 Facsimile: (310) 526-2237 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
21	Peter R. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant MICHAEL RAY PAPAYANS Telephone: (310) 272-5353 Facsimile: (213) 477-2137 Email: peter@hblwfirm.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Facsimile: (213) 629-4520 Email: fields@markfieldslaw.com
2	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
3	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tara Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com Email: Tera.Lutz@lewisbrisbois.com
4	Laura Bell, Esq. William Lock, Esq. BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd., Suite 110 Woodland Hills, CA 91367	Attorney for Defendants, FRANK FERRARA and CHARLIE FERRARA Telephone: (818) 712-9800 Facsimile: (818) 712-9900 Email: lbell@bremerwhyte.com Email: wlocke@bremerwhyte.com
5	Daniel M. Crowley, Esq. BOOTH, MITCHEL & STRANGE LLP 707 Wilshire Blvd., Suite 4450 Los Angeles, CA 90017	Telephone: (213) 738-0100 Facsimile: (213) 380-3308 Email:
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EXHIBIT 9

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28 Telephone: (310) 378-8533
Facsimile: (310) 347-4225

17 Attorneys for Plaintiffs CORY
18 SPENCER, DIANA MILENA REED,
19 and COASTAL PROTECTION
20 RANGERS, INC.

21 **UNITED STATES DISTRICT COURT**
22 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
26 California non-profit public benefit
corporation,

27 Plaintiffs.
28

CASE NO. 2:16-cv-02129-SJO (RAOx)

**PLAINTIFF CORY SPENCER'S
RESPONSE TO INTERROGATORIES,
SET ONE, PROPOUNDED BY
DEFENDANT BRANT BLAKEMAN**

1
2

v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including,
6 but not limited to, SANG LEE,
7 BRANT BLAKEMAN, ALAN
8 JOHNSTON AKA JALIAN
9 JOHNSTON, MICHAEL RAE
10 PAPAYANS, ANGELO FERRARA,
11 FRANK FERRARA, CHARLIE
12 FERRARA, and N. F.; CITY OF
13 PALOS VERDES ESTATES;
14 CHIEF OF POLICE JEFF
15 KEPLEY, in his representative
16 capacity; and DOES 1-10,

17 Defendants.

18

19 **PROPOUNDING PARTY:**Defendant BRANT BLAKEMAN

20 **RESPONDING PARTY:** Plaintiff CORY SPENCER

21 **SET NO.: One**

22 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Plaintiff
23 CORY SPENCER ("Responding Party") hereby submits these objections
24 and responses to Interrogatories, Set One, propounded by Defendant
25 BRANT BLAKEMAN ("Propounding Party").

26

PRELIMINARY STATEMENT

27 Nothing in this response should be construed as an admission by
28 Responding Party with respect to the admissibility or relevance of any fact,
or of the truth or accuracy of any characterization or statement of any kind
contained in Propounding Party's Interrogatories. Responding Party has not
completed its investigation of the facts relating to this case, its discovery or
its preparation for trial. All responses and objections contained herein are

1 based only upon information that is presently available to and specifically
2 known by Responding Party. It is anticipated that further discovery,
3 independent investigation, legal research and analysis will supply additional
4 facts and add meaning to known facts, as well as establish entirely new
5 factual conclusions and legal contentions, all of which may lead to
6 substantial additions to, changes in and variations from the responses set
7 forth herein. The following objections and responses are made without
8 prejudice to Responding Party's right to produce at trial, or otherwise,
9 evidence regarding any subsequently discovered information. Responding
10 Party accordingly reserves the right to modify and amend any and all
11 responses herein as research is completed and contentions are made.

12 **RESPONSES TO INTERROGATORIES**

13 **INTERROGATORY NO. 1:**

14 IDENTIFY ALL PERSONS that have knowledge of any facts that
15 support your contention that BRANT BLAKEMAN participated in any way in
16 the "commission of enumerated 'predicate crimes'" as alleged in paragraph
17 5 of the Complaint, and for each such PERSON identified state all facts you
18 contend are within that PERSON's knowledge.

19 **RESPONSE TO INTERROGATORY NO. 1:**

20 Responding Party objects to this interrogatory as unduly burdensome,
21 harassing, and duplicative of information disclosed in Responding Party's
22 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
23 may look to Responding Party's Rule 26(a) disclosures and supplemental
24 disclosures for the information sought by this interrogatory. Moreover,
25 Responding Party had the opportunity to depose Mr. Spencer on this topic.

26 Responding Party further objects to this interrogatory as compound.

27 This "interrogatory" contains multiple impermissible subparts, which
28 Propounding Party has propounded in an effort to circumvent the numerical

1 limitations on interrogatories provided by Federal Rule of Civil Procedure
2 33(a)(1).

3 Responding Party further objects to this interrogatory on the grounds
4 that it seeks information that is outside of Responding Party's knowledge.

5 Responding Party further objects to the extent that this interrogatory
6 invades attorney-client privilege and/or violates the work product doctrine by
7 compelling Responding Party to disclose privileged communications and/or
8 litigation strategy. Responding Party will not provide any such information.

9 Responding Party further objects to this interrogatory as premature.
10 Because this interrogatory seeks or necessarily relies upon a contention,
11 and because this matter is in its early stages and pretrial discovery has only
12 just begun, Responding Party is unable to provide a complete response at
13 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed. R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory need not be answered until designated discovery is complete, or until a pretrial conference or some other time.").

19 Based upon the foregoing objections, Responding Party will not
20 respond to this interrogatory at this time.

21 **INTERROGATORY NO. 2:**

22 IDENTIFY ALL PERSONS that have knowledge of any facts that
23 support your contention in paragraph 7 of the Complaint that BRANT
24 BLAKEMAN "is responsible in some manner for the Bane Act violations and
25 public nuisance described in the Complaint" and for each such PERSON
26 identified state all facts you contend are within that PERSON's knowledge.

27 **RESPONSE TO INTERROGATORY NO. 2:**

28 Responding Party objects to this interrogatory as unduly burdensome,

1 harassing, and duplicative of information disclosed in Responding Party's
2 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
3 may look to Responding Party's Rule 26(a) disclosures and supplemental
4 disclosures for the information sought by this interrogatory. Moreover,
5 Responding Party had the opportunity to depose Mr. Spencer on this topic.

6 Responding Party further objects to this interrogatory as compound.
7 This "interrogatory" contains multiple impermissible subparts, which
8 Propounding Party has propounded in an effort to circumvent the numerical
9 limitations on interrogatories provided by Federal Rule of Civil Procedure
10 33(a)(1).

11 Responding Party further objects to this interrogatory on the grounds
12 that it seeks information that is outside of Responding Party's knowledge.

13 Responding Party further objects to the extent that this interrogatory
14 invades attorney-client privilege and/or violates the work product doctrine by
15 compelling Responding Party to disclose privileged communications and/or
16 litigation strategy. Responding Party will not provide any such information.

17 Responding Party further objects to this interrogatory as premature.
18 Because this interrogatory seeks or necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
22 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*,
23 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed. R. Civ. P. 33(a)(2) ("the court may order that [a contention]
25 interrogatory need not be answered until designated discovery is complete,
26 or until a pretrial conference or some other time.").

27 Based upon the foregoing objections, Responding Party will not
28 respond to this interrogatory at this time.

1 **INTERROGATORY NO. 3:**

2 IDENTIFY ALL PERSONS that have knowledge of any facts that
3 support your contention in paragraph 18 of the Complaint that BRANT
4 BLAKEMAN "sell[s] market[s] and use[s] illegal controlled substances from
5 the Lunada Bay Bluffs and the Rock Fort" and for each such PERSON
6 identified state all facts you contend are within the PERSON's knowledge.

7 **RESPONSE TO INTERROGATORY NO. 3:**

8 Responding Party objects to this interrogatory as unduly burdensome,
9 harassing, and duplicative of information disclosed in Responding Party's
10 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
11 may look to Responding Party's Rule 26(a) disclosures and supplemental
12 disclosures for the information sought by this interrogatory. Moreover,
13 Responding Party had the opportunity to depose Mr. Spencer on this topic.

14 Responding Party further objects to this interrogatory as compound.
15 This "interrogatory" contains multiple impermissible subparts, which
16 Propounding Party has propounded in an effort to circumvent the numerical
17 limitations on interrogatories provided by Federal Rule of Civil Procedure
18 33(a)(1).

19 Responding Party further objects to this interrogatory on the grounds
20 that it seeks information that is outside of Responding Party's knowledge.

21 Responding Party further objects to the extent that this interrogatory
22 invades attorney-client privilege and/or violates the work product doctrine by
23 compelling Responding Party to disclose privileged communications and/or
24 litigation strategy. Responding Party will not provide any such information.

25 Responding Party further objects to this interrogatory as premature.
26 Because this interrogatory seeks or necessarily relies upon a contention,
27 and because this matter is in its early stages and pretrial discovery has only
28 just begun, Responding Party is unable to provide a complete response at

1 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
2 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific*
3 *Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see
4 also Fed. R. Civ. P. 33(a)(2) (“the court may order that [a contention]
5 interrogatory need not be answered until designated discovery is complete,
6 or until a pretrial conference or some other time.”).

7 Based upon the foregoing objections, Responding Party will not
8 respond to this interrogatory at this time.

9 **INTERROGATORY NO. 4:**

10 IDENTIFY ALL PERSONS that have knowledge of any facts that
11 support your contention in paragraph 18 of the Complaint that BRANT
12 BLAKEMAN “impede[d] boat traffic” at any time, and for each such PERSON
13 identified state all facts you contend are within that PERSON’s knowledge.

14 **RESPONSE TO INTERROGATORY NO. 4:**

15 Responding Party objects to this interrogatory as unduly burdensome,
16 harassing, and duplicative of information disclosed in Responding Party’s
17 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
18 may look to Responding Party’s Rule 26(a) disclosures and supplemental
19 disclosures for the information sought by this interrogatory. Moreover,
20 Responding Party had the opportunity to depose Mr. Spencer on this topic.

21 Responding Party further objects to this interrogatory as compound.
22 This “interrogatory” contains multiple impermissible subparts, which
23 Propounding Party has propounded in an effort to circumvent the numerical
24 limitations on interrogatories provided by Federal Rule of Civil Procedure
25 33(a)(1).

26 Responding Party further objects to this interrogatory on the grounds
27 that it seeks information that is outside of Responding Party’s knowledge.

28 Responding Party further objects to the extent that this interrogatory

1 invades attorney-client privilege and/or violates the work product doctrine by
2 compelling Responding Party to disclose privileged communications and/or
3 litigation strategy. Responding Party will not provide any such information.

4 Responding Party further objects to this interrogatory as premature.
5 Because this interrogatory seeks or necessarily relies upon a contention,
6 and because this matter is in its early stages and pretrial discovery has only
7 just begun, Responding Party is unable to provide a complete response at
8 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
9 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific*
10 *Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see
11 also Fed. R. Civ. P. 33(a)(2) (“the court may order that [a contention]
12 interrogatory need not be answered until designated discovery is complete,
13 or until a pretrial conference or some other time.”).

14 Based upon the foregoing objections, Responding Party will not
15 respond to this interrogatory at this time.

16 **INTERROGATORY NO. 5:**

17 IDENTIFY ALL PERSONS that have knowledge of any facts that
18 support your contention in paragraph 18 of the Complaint that BRANT
19 BLAKEMAN “dangerously disregard[ed] surfing rules” at any time, and for
20 each such PERSON identified state all facts you contend are within that
21 PERSON’s knowledge.

22 **RESPONSE TO INTERROGATORY NO. 5:**

23 Responding Party objects to this interrogatory as unduly burdensome,
24 harassing, and duplicative of information disclosed in Responding Party’s
25 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
26 may look to Responding Party’s Rule 26(a) disclosures and supplemental
27 disclosures for the information sought by this interrogatory. Moreover,
28 Responding Party had the opportunity to depose Mr. Spencer on this topic.

1 Responding Party further objects to this interrogatory as compound.
2 This "interrogatory" contains multiple impermissible subparts, which
3 Propounding Party has propounded in an effort to circumvent the numerical
4 limitations on interrogatories provided by Federal Rule of Civil Procedure
5 33(a)(1).

6 Responding Party further objects to this interrogatory on the grounds
7 that it seeks information that is outside of Responding Party's knowledge.

8 Responding Party further objects to the extent that this interrogatory
9 invades attorney-client privilege and/or violates the work product doctrine by
10 compelling Responding Party to disclose privileged communications and/or
11 litigation strategy. Responding Party will not provide any such information.

12 Responding Party further objects to this interrogatory as premature.
13 Because this interrogatory seeks or necessarily relies upon a contention,
14 and because this matter is in its early stages and pretrial discovery has only
15 just begun, Responding Party is unable to provide a complete response at
16 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see
19 also Fed. R. Civ. P. 33(a)(2) ("the court may order that [a contention]
20 interrogatory need not be answered until designated discovery is complete,
21 or until a pretrial conference or some other time.").

22 Based upon the foregoing objections, Responding Party will not
23 respond to this interrogatory at this time.

24 **INTERROGATORY NO. 6:**

25 IDENTIFY ALL PERSONS that have knowledge of any facts that
26 support your contention that BRANT BLAKEMAN has illegally extorted
27 money from beachgoers who wish to use Lunada Bay for recreational
28 purposes (See paragraph 33 j. of the Complaint), and for each such

1 PERSON identified state all facts you contend are within that PERSON's
2 knowledge.

3 **RESPONSE TO INTERROGATORY NO. 6:**

4 Responding Party objects to this interrogatory as unduly burdensome,
5 harassing, and duplicative of information disclosed in Responding Party's
6 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
7 may look to Responding Party's Rule 26(a) disclosures and supplemental
8 disclosures for the information sought by this interrogatory. Moreover,
9 Responding Party had the opportunity to depose Mr. Spencer on this topic.

10 Responding Party further objects to this interrogatory as compound.

11 This "interrogatory" contains multiple impermissible subparts, which
12 Propounding Party has propounded in an effort to circumvent the numerical
13 limitations on interrogatories provided by Federal Rule of Civil Procedure
14 33(a)(1).

15 Responding Party further objects to this interrogatory on the grounds
16 that it seeks information that is outside of Responding Party's knowledge.

17 Responding Party further objects to the extent that this interrogatory
18 invades attorney-client privilege and/or violates the work product doctrine by
19 compelling Responding Party to disclose privileged communications and/or
20 litigation strategy. Responding Party will not provide any such information.

21 Responding Party further objects to this interrogatory as premature.
22 Because this interrogatory seeks or necessarily relies upon a contention,
23 and because this matter is in its early stages and pretrial discovery has only
24 just begun, Responding Party is unable to provide a complete response at
25 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
26 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*,
27 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed. R. Civ. P. 33(a)(2) ("the court may order that [a contention]

1 interrogatory need not be answered until designated discovery is complete,
2 or until a pretrial conference or some other time.").

3 Based upon the foregoing objections, Responding Party will not
4 respond to this interrogatory at this time.

5 **INTERROGATORY NO. 7:**

6 IDENTIFY ALL PERSONS that have knowledge of any facts that
7 support your contention that BRANT BLAKEMAN was a part of a Civil
8 Conspiracy as identified in your complaint in paragraphs 51 through 53, and
9 for each such PERSON identified state all facts you contend are within that
10 PERSON's knowledge.

11 **RESPONSE TO INTERROGATORY NO. 7:**

12 Responding Party objects to this interrogatory as unduly burdensome,
13 harassing, and duplicative of information disclosed in Responding Party's
14 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
15 may look to Responding Party's Rule 26(a) disclosures and supplemental
16 disclosures for the information sought by this interrogatory. Moreover,
17 Responding Party had the opportunity to depose Mr. Spencer on this topic.

18 Responding Party further objects to this interrogatory as compound.
19 This "interrogatory" contains multiple impermissible subparts, which
20 Propounding Party has propounded in an effort to circumvent the numerical
21 limitations on interrogatories provided by Federal Rule of Civil Procedure
22 33(a)(1).

23 Responding Party further objects to this interrogatory on the grounds
24 that it seeks information that is outside of Responding Party's knowledge.

25 Responding Party further objects to the extent that this interrogatory
26 invades attorney-client privilege and/or violates the work product doctrine by
27 compelling Responding Party to disclose privileged communications and/or
28 litigation strategy. Responding Party will not provide any such information.

1 Responding Party further objects to this interrogatory as premature.
2 Because this interrogatory seeks or necessarily relies upon a contention,
3 and because this matter is in its early stages and pretrial discovery has only
4 just begun, Responding Party is unable to provide a complete response at
5 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
6 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific*
7 *Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see
8 also Fed. R. Civ. P. 33(a)(2) (“the court may order that [a contention]
9 interrogatory need not be answered until designated discovery is complete,
10 or until a pretrial conference or some other time.”).

11 Based upon the foregoing objections, Responding Party will not
12 respond to this interrogatory at this time.

13 **INTERROGATORY NO. 8:**

14 IDENTIFY ALL PERSONS that have knowledge of any facts that
15 support plaintiffs' First Cause of Action in the Complaint (Bane Act
16 Violations) against BRANT BLAKEMAN, and for each such PERSON
17 identified state all facts you contend are within that PERSON's knowledge.

18 **RESPONSE TO INTERROGATORY NO. 8:**

19 Responding Party objects to this interrogatory as unduly burdensome,
20 harassing, and duplicative of information disclosed in Responding Party's
21 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
22 may look to Responding Party's Rule 26(a) disclosures and supplemental
23 disclosures for the information sought by this interrogatory. Moreover,
24 Responding Party had the opportunity to depose Mr. Spencer on this topic.

25 Responding Party further objects to this interrogatory as compound.
26 This “interrogatory” contains multiple impermissible subparts, which
27 Propounding Party has propounded in an effort to circumvent the numerical
28 limitations on interrogatories provided by Federal Rule of Civil Procedure

1 33(a)(1).

2 Responding Party further objects to this interrogatory on the grounds
3 that it seeks information that is outside of Responding Party's knowledge.

4 Responding Party further objects to the extent that this interrogatory
5 invades attorney-client privilege and/or violates the work product doctrine by
6 compelling Responding Party to disclose privileged communications and/or
7 litigation strategy. Responding Party will not provide any such information.

8 Responding Party further objects to this interrogatory as premature.

9 Because this interrogatory seeks or necessarily relies upon a contention,
10 and because this matter is in its early stages and pretrial discovery has only
11 just begun, Responding Party is unable to provide a complete response at
12 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
13 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*,
14 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed. R. Civ. P. 33(a)(2) ("the court may order that [a contention]
15 interrogatory need not be answered until designated discovery is complete,
16 or until a pretrial conference or some other time.").

17 Based upon the foregoing objections, Responding Party will not
18 respond to this interrogatory at this time.

19 **INTERROGATORY NO. 9:**

20 IDENTIFY ALL PERSONS that have knowledge of any facts that
21 support plaintiffs' Second Cause of Action in the Complaint (Public
22 Nuisance) against BRANT BLAKEMAN, and for each such PERSON
23 identified state all facts you contend are within that PERSON's knowledge.

24 **RESPONSE TO INTERROGATORY NO. 9:**

25 Responding Party objects to this interrogatory as unduly burdensome,
26 harassing, and duplicative of information disclosed in Responding Party's
27 Rule 26(a) disclosures and supplemental disclosures. Propounding Party

1 may look to Responding Party's Rule 26(a) disclosures and supplemental
2 disclosures for the information sought by this interrogatory. Moreover,
3 Responding Party had the opportunity to depose Mr. Spencer on this topic.

4 Responding Party further objects to this interrogatory as compound.

5 This "interrogatory" contains multiple impermissible subparts, which
6 Propounding Party has propounded in an effort to circumvent the numerical
7 limitations on interrogatories provided by Federal Rule of Civil Procedure
8 33(a)(1).

9 Responding Party further objects to this interrogatory on the grounds
10 that it seeks information that is outside of Responding Party's knowledge.

11 Responding Party further objects to the extent that this interrogatory
12 invades attorney-client privilege and/or violates the work product doctrine by
13 compelling Responding Party to disclose privileged communications and/or
14 litigation strategy. Responding Party will not provide any such information.

15 Responding Party further objects to this interrogatory as premature.
16 Because this interrogatory seeks or necessarily relies upon a contention,
17 and because this matter is in its early stages and pretrial discovery has only
18 just begun, Responding Party is unable to provide a complete response at
19 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see
22 also Fed. R. Civ. P. 33(a)(2) ("the court may order that [a contention]
23 interrogatory need not be answered until designated discovery is complete,
24 or until a pretrial conference or some other time.").

25 Based upon the foregoing objections, Responding Party will not
26 respond to this interrogatory at this time.

27 **INTERROGATORY NO. 10:**

28 IDENTIFY ALL PERSONS that have knowledge of any facts that

1 support plaintiffs' Sixth Cause of Action in the Complaint (Assault) against
2 BRANT BLAKEMAN, and for each such PERSON identified state all facts
3 you contend are within that PERSON's knowledge.

4 **RESPONSE TO INTERROGATORY NO. 10:**

5 Responding Party objects to this interrogatory as unduly burdensome,
6 harassing, and duplicative of information disclosed in Responding Party's
7 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
8 may look to Responding Party's Rule 26(a) disclosures and supplemental
9 disclosures for the information sought by this interrogatory. Moreover,
10 Responding Party had the opportunity to depose Mr. Spencer on this topic.

11 Responding Party further objects to this interrogatory as compound.
12 This "interrogatory" contains multiple impermissible subparts, which
13 Propounding Party has propounded in an effort to circumvent the numerical
14 limitations on interrogatories provided by Federal Rule of Civil Procedure
15 33(a)(1).

16 Responding Party further objects to this interrogatory on the grounds
17 that it seeks information that is outside of Responding Party's knowledge.

18 Responding Party further objects to the extent that this interrogatory
19 invades attorney-client privilege and/or violates the work product doctrine by
20 compelling Responding Party to disclose privileged communications and/or
21 litigation strategy. Responding Party will not provide any such information.

22 Responding Party further objects to this interrogatory as premature.
23 Because this interrogatory seeks or necessarily relies upon a contention,
24 and because this matter is in its early stages and pretrial discovery has only
25 just begun, Responding Party is unable to provide a complete response at
26 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see

1 also Fed. R. Civ. P. 33(a)(2) ("the court may order that [a contention]
2 interrogatory need not be answered until designated discovery is complete,
3 or until a pretrial conference or some other time.").

4 Based upon the foregoing objections, Responding Party will not
5 respond to this interrogatory at this time.

6 **INTERROGATORY NO. 11:**

7 IDENTIFY ALL PERSONS that have knowledge of any facts that
8 support plaintiffs' Seventh Cause of Action in the Complaint (Battery) against
9 BRANT BLAKEMAN, and for each such PERSON identified state all facts
10 you contend are within that PERSON's knowledge.

11 **RESPONSE TO INTERROGATORY NO. 11:**

12 Responding Party objects to this interrogatory as unduly burdensome,
13 harassing, and duplicative of information disclosed in Responding Party's
14 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
15 may look to Responding Party's Rule 26(a) disclosures and supplemental
16 disclosures for the information sought by this interrogatory. Moreover,
17 Responding Party had the opportunity to depose Mr. Spencer on this topic.

18 Responding Party further objects to this interrogatory as compound.
19 This "interrogatory" contains multiple impermissible subparts, which
20 Propounding Party has propounded in an effort to circumvent the numerical
21 limitations on interrogatories provided by Federal Rule of Civil Procedure
22 33(a)(1).

23 Responding Party further objects to this interrogatory on the grounds
24 that it seeks information that is outside of Responding Party's knowledge.

25 Responding Party further objects to the extent that this interrogatory
26 invades attorney-client privilege and/or violates the work product doctrine by
27 compelling Responding Party to disclose privileged communications and/or
28 litigation strategy. Responding Party will not provide any such information.

1 Responding Party further objects to this interrogatory as premature.
2 Because this interrogatory seeks or necessarily relies upon a contention,
3 and because this matter is in its early stages and pretrial discovery has only
4 just begun, Responding Party is unable to provide a complete response at
5 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
6 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific*
7 *Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see
8 also Fed. R. Civ. P. 33(a)(2) (“the court may order that [a contention]
9 interrogatory need not be answered until designated discovery is complete,
10 or until a pretrial conference or some other time.”).

11 Based upon the foregoing objections, Responding Party will not
12 respond to this interrogatory at this time.

13 **INTERROGATORY NO. 12:**

14 IDENTIFY ALL PERSONS that have knowledge of any facts that
15 support plaintiffs’ Eight Cause of Action in the Complaint (Negligence)
16 against BRANT BLAKEMAN, and for each such PERSON identified state all
17 facts you contend are within that PERSON’s knowledge.

18 **RESPONSE TO INTERROGATORY NO. 12:**

19 Responding Party objects to this interrogatory as unduly burdensome,
20 harassing, and duplicative of information disclosed in Responding Party’s
21 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
22 may look to Responding Party’s Rule 26(a) disclosures and supplemental
23 disclosures for the information sought by this interrogatory. Moreover,
24 Responding Party had the opportunity to depose Mr. Spencer on this topic.

25 Responding Party further objects to this interrogatory as compound.
26 This “interrogatory” contains multiple impermissible subparts, which
27 Propounding Party has propounded in an effort to circumvent the numerical
28 limitations on interrogatories provided by Federal Rule of Civil Procedure

1 33(a)(1).

2 Responding Party further objects to this interrogatory on the grounds
3 that it seeks information that is outside of Responding Party's knowledge.

4 Responding Party further objects to the extent that this interrogatory
5 invades attorney-client privilege and/or violates the work product doctrine by
6 compelling Responding Party to disclose privileged communications and/or
7 litigation strategy. Responding Party will not provide any such information.

8 Responding Party further objects to this interrogatory as premature.

9 Because this interrogatory seeks or necessarily relies upon a contention,
10 and because this matter is in its early stages and pretrial discovery has only
11 just begun, Responding Party is unable to provide a complete response at
12 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
13 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*,
14 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed. R. Civ. P. 33(a)(2) ("the court may order that [a contention]
15 interrogatory need not be answered until designated discovery is complete,
16 or until a pretrial conference or some other time.").

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1 Based upon the foregoing objections, Responding Party will not
2 respond to this interrogatory at this time.
3
4

DATED: October 20, 2016

HANSON BRIDGETT LLP

5

6

By:

KURT A. FRANKLIN
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COASTAL PROTECTION RANGERS,
INC.

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2:16-cv-02129-SJO (RAOx)

PLAINTIFF CORY SPENCER'S RESPONSE TO INTERROGATORIES, SET ONE,
PROPOUNDED BY DEFENDANT BRANT BLAKEMAN

PROOF OF SERVICE

Spencer, et al. v. Lunada Bay Boys, et al.
U.S.D.C. for the Central District of California
Case No. 2:16-cv-02129-SJO (RAOx)

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, State of California. My business address is 425 Market Street, 26th Floor, San Francisco, CA 94105.

On **October 20, 2016**, I served the original or a true copy of the following document(s) described as:

**PLAINTIFF CORY SPENCER'S RESPONSE TO
INTERROGATORIES, SET ONE, PROPOUNDED BY
DEFENDANT BRANT BLAKEMAN**

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 20, 2016, at San Francisco, California.

Alex D. Thorsen

Ann D. Ghiorso

SERVICE LIST

Spencer, et al. v. Lunada Bay Boys, et al.
U.S.D.C. for the Central District of California
Case No. 2:16-cv-02129-SJO (RAOx)

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17 Attorneys for Plaintiffs CORY
18 SPENCER, DIANA MILENA REED,
and COASTAL PROTECTION
RANGERS, INC.

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
26 California non-profit public benefit
corporation.

CASE NO. 2:16-cv-02129-SJO (RAOx)

**PLAINTIFF DIANA MILENA REED'S
RESPONSE TO INTERROGATORIES,
SET ONE, PROPOUNDED BY
DEFENDANT BRANT BLAKEMAN**

Plaintiffs.

2:16-cv-02129-SJO (RAOx)

PLAINTIFF DIANA MILENA REED'S RESPONSE TO INTERROGATORIES, SET ONE,
PROPOUNDED BY DEFENDANT BRANT BLAKEMAN

V.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including,
but not limited to, SANG LEE,
6 BRANT BLAKEMAN, ALAN
7 JOHNSTON AKA JALIAN
8 JOHNSTON, MICHAEL RAE
PAPAYANS, ANGELO FERRARA,
FRANK FERRARA, CHARLIE
FERRARA, and N. F.; CITY OF
PALOS VERDES ESTATES;
CHIEF OF POLICE JEFF
KEPLEY, in his representative
capacity; and DOES 1-10.

Defendants.

15 PROPOUNDING PARTY:Defendant BRANT BLAKEMAN

16 | RESPONDING PARTY: Plaintiff DIANA MILENA REED

17 SET NO.: One

18 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Plaintiff
19 DIANA MILENA REED ("Responding Party") hereby submits these
20 objections and responses to Interrogatories, Set One, propounded by
21 Defendant BRANT BLAKEMAN ("Propounding Party").

PRELIMINARY STATEMENT

Nothing in this response should be construed as an admission by Responding Party with respect to the admissibility or relevance of any fact, or of the truth or accuracy of any characterization or statement of any kind contained in Propounding Party's Interrogatories. Responding Party has not completed its investigation of the facts relating to this case, its discovery or its preparation for trial. All responses and objections contained herein are

1 based only upon information that is presently available to and specifically
2 known by Responding Party. It is anticipated that further discovery,
3 independent investigation, legal research and analysis will supply additional
4 facts and add meaning to known facts, as well as establish entirely new
5 factual conclusions and legal contentions, all of which may lead to
6 substantial additions to, changes in and variations from the responses set
7 forth herein. The following objections and responses are made without
8 prejudice to Responding Party's right to produce at trial, or otherwise,
9 evidence regarding any subsequently discovered information. Responding
10 Party accordingly reserves the right to modify and amend any and all
11 responses herein as research is completed and contentions are made.

12 **RESPONSES TO INTERROGATORIES**

13 **INTERROGATORY NO. 1:**

14 IDENTIFY ALL PERSONS that have knowledge of any facts that
15 support your contention that BRANT BLAKEMAN participated in any way in
16 the "commission of enumerated 'predicate crimes'" as alleged in paragraph
17 5 of the Complaint, and for each such PERSON identified state all facts you
18 contend are within that PERSON's knowledge.

19 **RESPONSE TO INTERROGATORY NO. 1:**

20 Responding Party objects to this interrogatory as unduly burdensome,
21 harassing, and duplicative of information disclosed in Responding Party's
22 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
23 may look to Responding Party's Rule 26(a) disclosures and supplemental
24 disclosures for the information sought by this interrogatory.

25 Responding Party further objects to this interrogatory as compound.
26 This "interrogatory" contains multiple impermissible subparts, which
27 Propounding Party has propounded in an effort to circumvent the numerical
28 limitations on interrogatories provided by Federal Rule of Civil Procedure

1 33(a)(1).

2 Responding Party further objects to this interrogatory on the grounds
3 that it seeks information that is outside of Responding Party's knowledge.

4 Responding Party further objects to the extent that this interrogatory
5 invades attorney-client privilege and/or violates the work product doctrine by
6 compelling Responding Party to disclose privileged communications and/or
7 litigation strategy. Responding Party will not provide any such information.

8 Responding Party further objects to this interrogatory as premature.
9 Because this interrogatory seeks or necessarily relies upon a contention,
10 and because this matter is in its early stages and pretrial discovery has only
11 just begun, Responding Party is unable to provide a response at this time,
12 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
13 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
14 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
15 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
16 need not be answered until designated discovery is complete, or until a
17 pretrial conference or some other time.").

18 Based upon the foregoing objections, Responding Party will not
19 respond to this interrogatory at this time.

20 **INTERROGATORY NO. 2:**

21 IDENTIFY ALL PERSONS that have knowledge of any facts that
22 support your contention in paragraph 7 of the Complaint that BRANT
23 BLAKEMAN "is responsible in some manner for the Bane Act violations and
24 public nuisance described in the Complaint" and for each such PERSON
25 identified state all facts you contend are within that PERSON's knowledge.

26 **RESPONSE TO INTERROGATORY NO. 2:**

27 Responding Party objects to this interrogatory as unduly burdensome,
28 harassing, and duplicative of information disclosed in Responding Party's

1 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
2 may look to Responding Party's Rule 26(a) disclosures and supplemental
3 disclosures for the information sought by this interrogatory.

4 Responding Party further objects to this interrogatory as compound.
5 This "interrogatory" contains multiple impermissible subparts, which
6 Propounding Party has propounded in an effort to circumvent the numerical
7 limitations on interrogatories provided by Federal Rule of Civil Procedure
8 33(a)(1).

9 Responding Party further objects to this interrogatory on the grounds
10 that it seeks information that is outside of Responding Party's knowledge.

11 Responding Party further objects to the extent that this interrogatory
12 invades attorney-client privilege and/or violates the work product doctrine by
13 compelling Responding Party to disclose privileged communications and/or
14 litigation strategy. Responding Party will not provide any such information.

15 Responding Party further objects to this interrogatory as premature.
16 Because this interrogatory seeks or necessarily relies upon a contention,
17 and because this matter is in its early stages and pretrial discovery has only
18 just begun, Responding Party is unable to provide a response at this time,
19 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
20 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
21 *Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
22 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
23 need not be answered until designated discovery is complete, or until a
24 pretrial conference or some other time.").

25 Based upon the foregoing objections, Responding Party will not
26 respond to this interrogatory at this time.

27 **INTERROGATORY NO. 3:**

28 IDENTIFY ALL PERSONS that have knowledge of any facts that

1 support your contention in paragraph 18 of the Complaint that BRANT
2 BLAKEMAN "sell[s] market[s] and use[s] illegal controlled substances from
3 the Lunada Bay Bluffs and the Rock Fort" and for each such PERSON
4 identified state all facts you contend are within the PERSON's knowledge.

5 **RESPONSE TO INTERROGATORY NO. 3:**

6 Responding Party objects to this interrogatory as unduly burdensome,
7 harassing, and duplicative of information disclosed in Responding Party's
8 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
9 may look to Responding Party's Rule 26(a) disclosures and supplemental
10 disclosures for the information sought by this interrogatory.

11 Responding Party further objects to this interrogatory as compound.
12 This "interrogatory" contains multiple impermissible subparts, which
13 Propounding Party has propounded in an effort to circumvent the numerical
14 limitations on interrogatories provided by Federal Rule of Civil Procedure
15 33(a)(1).

16 Responding Party further objects to this interrogatory on the grounds
17 that it seeks information that is outside of Responding Party's knowledge.

18 Responding Party further objects to the extent that this interrogatory
19 invades attorney-client privilege and/or violates the work product doctrine by
20 compelling Responding Party to disclose privileged communications and/or
21 litigation strategy. Responding Party will not provide any such information.

22 Responding Party further objects to this interrogatory as premature.
23 Because this interrogatory seeks or necessarily relies upon a contention,
24 and because this matter is in its early stages and pretrial discovery has only
25 just begun, Responding Party is unable to provide a response at this time,
26 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
27 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
28 *Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.

1 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
2 need not be answered until designated discovery is complete, or until a
3 pretrial conference or some other time.").

4 Based upon the foregoing objections, Responding Party will not
5 respond to this interrogatory at this time.

6 **INTERROGATORY NO. 4:**

7 IDENTIFY ALL PERSONS that have knowledge of any facts that
8 support your contention in paragraph 18 of the Complaint that BRANT
9 BLAKEMAN "impede[d] boat traffic" at any time, and for each such PERSON
10 identified state all facts you contend are within that PERSON's knowledge.

11 **RESPONSE TO INTERROGATORY NO. 4:**

12 Responding Party objects to this interrogatory as unduly burdensome,
13 harassing, and duplicative of information disclosed in Responding Party's
14 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
15 may look to Responding Party's Rule 26(a) disclosures and supplemental
16 disclosures for the information sought by this interrogatory.

17 Responding Party further objects to this interrogatory as compound.
18 This "interrogatory" contains multiple impermissible subparts, which
19 Propounding Party has propounded in an effort to circumvent the numerical
20 limitations on interrogatories provided by Federal Rule of Civil Procedure
21 33(a)(1).

22 Responding Party further objects to this interrogatory on the grounds
23 that it seeks information that is outside of Responding Party's knowledge.

24 Responding Party further objects to the extent that this interrogatory
25 invades attorney-client privilege and/or violates the work product doctrine by
26 compelling Responding Party to disclose privileged communications and/or
27 litigation strategy. Responding Party will not provide any such information.

28 Responding Party further objects to this interrogatory as premature.

1 Because this interrogatory seeks or necessarily relies upon a contention,
2 and because this matter is in its early stages and pretrial discovery has only
3 just begun, Responding Party is unable to provide a response at this time,
4 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
5 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
6 *Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
7 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
8 need not be answered until designated discovery is complete, or until a
9 pretrial conference or some other time.").

10 Based upon the foregoing objections, Responding Party will not
11 respond to this interrogatory at this time.

12 **INTERROGATORY NO. 5:**

13 IDENTIFY ALL PERSONS that have knowledge of any facts that
14 support your contention in paragraph 18 of the Complaint that BRANT
15 BLAKEMAN "dangerously disregard[ed] surfing rules" at any time, and for
16 each such PERSON identified state all facts you contend are within that
17 PERSON's knowledge.

18 **RESPONSE TO INTERROGATORY NO. 5:**

19 Responding Party objects to this interrogatory as unduly burdensome,
20 harassing, and duplicative of information disclosed in Responding Party's
21 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
22 may look to Responding Party's Rule 26(a) disclosures and supplemental
23 disclosures for the information sought by this interrogatory.

24 Responding Party further objects to this interrogatory as compound.
25 This "interrogatory" contains multiple impermissible subparts, which
26 Propounding Party has propounded in an effort to circumvent the numerical
27 limitations on interrogatories provided by Federal Rule of Civil Procedure
28 33(a)(1).

1 Responding Party further objects to this interrogatory on the grounds
2 that it seeks information that is outside of Responding Party's knowledge.

3 Responding Party further objects to the extent that this interrogatory
4 invades attorney-client privilege and/or violates the work product doctrine by
5 compelling Responding Party to disclose privileged communications and/or
6 litigation strategy. Responding Party will not provide any such information.

7 Responding Party further objects to this interrogatory as premature.
8 Because this interrogatory seeks or necessarily relies upon a contention,
9 and because this matter is in its early stages and pretrial discovery has only
10 just begun, Responding Party is unable to provide a response at this time,
11 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
12 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
13 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
14 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
15 need not be answered until designated discovery is complete, or until a
16 pretrial conference or some other time.").

17 Based upon the foregoing objections, Responding Party will not
18 respond to this interrogatory at this time.

19 **INTERROGATORY NO. 6:**

20 IDENTIFY ALL PERSONS that have knowledge of any facts that
21 support your contention that BRANT BLAKEMAN has illegally extorted
22 money from beachgoers who wish to use Lunada Bay for recreational
23 purposes (See paragraph 33 j. of the Complaint), and for each such
24 PERSON identified state all facts you contend are within that PERSON's
25 knowledge.

26 **RESPONSE TO INTERROGATORY NO. 6:**

27 Responding Party objects to this interrogatory as unduly burdensome,
28 harassing, and duplicative of information disclosed in Responding Party's

1 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
2 may look to Responding Party's Rule 26(a) disclosures and supplemental
3 disclosures for the information sought by this interrogatory.

4 Responding Party further objects to this interrogatory as compound.
5 This "interrogatory" contains multiple impermissible subparts, which
6 Propounding Party has propounded in an effort to circumvent the numerical
7 limitations on interrogatories provided by Federal Rule of Civil Procedure
8 33(a)(1).

9 Responding Party further objects to this interrogatory on the grounds
10 that it seeks information that is outside of Responding Party's knowledge.

11 Responding Party further objects to the extent that this interrogatory
12 invades attorney-client privilege and/or violates the work product doctrine by
13 compelling Responding Party to disclose privileged communications and/or
14 litigation strategy. Responding Party will not provide any such information.

15 Responding Party further objects to this interrogatory as premature.
16 Because this interrogatory seeks or necessarily relies upon a contention,
17 and because this matter is in its early stages and pretrial discovery has only
18 just begun, Responding Party is unable to provide a response at this time,
19 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
20 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
21 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
22 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
23 need not be answered until designated discovery is complete, or until a
24 pretrial conference or some other time.").

25 Based upon the foregoing objections, Responding Party will not
26 respond to this interrogatory at this time.

27 **INTERROGATORY NO. 7:**

28 IDENTIFY ALL PERSONS that have knowledge of any facts that

1 support your contention that BRANT BLAKEMAN was a part of a Civil
2 Conspiracy as identified in your complaint in paragraphs 51 through 53, and
3 for each such PERSON identified state all facts you contend are within that
4 PERSON's knowledge.

5 **RESPONSE TO INTERROGATORY NO. 7:**

6 Responding Party objects to this interrogatory as unduly burdensome,
7 harassing, and duplicative of information disclosed in Responding Party's
8 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
9 may look to Responding Party's Rule 26(a) disclosures and supplemental
10 disclosures for the information sought by this interrogatory.

11 Responding Party further objects to this interrogatory as compound.
12 This "interrogatory" contains multiple impermissible subparts, which
13 Propounding Party has propounded in an effort to circumvent the numerical
14 limitations on interrogatories provided by Federal Rule of Civil Procedure
15 33(a)(1).

16 Responding Party further objects to this interrogatory on the grounds
17 that it seeks information that is outside of Responding Party's knowledge.

18 Responding Party further objects to the extent that this interrogatory
19 invades attorney-client privilege and/or violates the work product doctrine by
20 compelling Responding Party to disclose privileged communications and/or
21 litigation strategy. Responding Party will not provide any such information.

22 Responding Party further objects to this interrogatory as premature.
23 Because this interrogatory seeks or necessarily relies upon a contention,
24 and because this matter is in its early stages and pretrial discovery has only
25 just begun, Responding Party is unable to provide a response at this time,
26 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
27 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
28 *Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.

1 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
2 need not be answered until designated discovery is complete, or until a
3 pretrial conference or some other time.").

4 Based upon the foregoing objections, Responding Party will not
5 respond to this interrogatory at this time.

6 **INTERROGATORY NO. 8:**

7 IDENTIFY ALL PERSONS that have knowledge of any facts that
8 support plaintiffs' First Cause of Action in the Complaint (Bane Act
9 Violations) against BRANT BLAKEMAN, and for each such PERSON
10 identified state all facts you contend are within that PERSON's knowledge.

11 **RESPONSE TO INTERROGATORY NO. 8:**

12 Responding Party objects to this interrogatory as unduly burdensome,
13 harassing, and duplicative of information disclosed in Responding Party's
14 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
15 may look to Responding Party's Rule 26(a) disclosures and supplemental
16 disclosures for the information sought by this interrogatory.

17 Responding Party further objects to this interrogatory as compound.
18 This "interrogatory" contains multiple impermissible subparts, which
19 Propounding Party has propounded in an effort to circumvent the numerical
20 limitations on interrogatories provided by Federal Rule of Civil Procedure
21 33(a)(1).

22 Responding Party further objects to this interrogatory on the grounds
23 that it seeks information that is outside of Responding Party's knowledge.

24 Responding Party further objects to the extent that this interrogatory
25 invades attorney-client privilege and/or violates the work product doctrine by
26 compelling Responding Party to disclose privileged communications and/or
27 litigation strategy. Responding Party will not provide any such information.

28 Responding Party further objects to this interrogatory as premature.

1 Because this interrogatory seeks or necessarily relies upon a contention,
2 and because this matter is in its early stages and pretrial discovery has only
3 just begun, Responding Party is unable to provide a response at this time,
4 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
5 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
6 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
7 R. Civ. P. 33(a)(2) (“the court may order that [a contention] interrogatory
8 need not be answered until designated discovery is complete, or until a
9 pretrial conference or some other time.”).

10 Based upon the foregoing objections, Responding Party will not
11 respond to this interrogatory at this time.

12 **INTERROGATORY NO. 9:**

13 IDENTIFY ALL PERSONS that have knowledge of any facts that
14 support plaintiffs' Second Cause of Action in the Complaint (Public
15 Nuisance) against BRANT BLAKEMAN, and for each such PERSON
16 identified state all facts you contend are within that PERSON's knowledge.

17 **RESPONSE TO INTERROGATORY NO. 9:**

18 Responding Party objects to this interrogatory as unduly burdensome,
19 harassing, and duplicative of information disclosed in Responding Party's
20 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
21 may look to Responding Party's Rule 26(a) disclosures and supplemental
22 disclosures for the information sought by this interrogatory.

23 Responding Party further objects to this interrogatory as compound.
24 This “interrogatory” contains multiple impermissible subparts, which
25 Propounding Party has propounded in an effort to circumvent the numerical
26 limitations on interrogatories provided by Federal Rule of Civil Procedure
27 33(a)(1).

28 Responding Party further objects to this interrogatory on the grounds

1 that it seeks information that is outside of Responding Party's knowledge.

2 Responding Party further objects to the extent that this interrogatory
3 invades attorney-client privilege and/or violates the work product doctrine by
4 compelling Responding Party to disclose privileged communications and/or
5 litigation strategy. Responding Party will not provide any such information.

6 Responding Party further objects to this interrogatory as premature.
7 Because this interrogatory seeks or necessarily relies upon a contention,
8 and because this matter is in its early stages and pretrial discovery has only
9 just begun, Responding Party is unable to provide a response at this time,
10 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
11 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
12 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
13 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
14 need not be answered until designated discovery is complete, or until a
15 pretrial conference or some other time.").

16 Based upon the foregoing objections, Responding Party will not
17 respond to this interrogatory at this time.

18 **INTERROGATORY NO. 10:**

19 IDENTIFY ALL PERSONS that have knowledge of any facts that
20 support plaintiffs' Sixth Cause of Action in the Complaint (Assault) against
21 BRANT BLAKEMAN, and for each such PERSON identified state all facts
22 you contend are within that PERSON's knowledge.

23 **RESPONSE TO INTERROGATORY NO. 10:**

24 Responding Party objects to this interrogatory as unduly burdensome,
25 harassing, and duplicative of information disclosed in Responding Party's
26 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
27 may look to Responding Party's Rule 26(a) disclosures and supplemental
28 disclosures for the information sought by this interrogatory.

1 Responding Party further objects to this interrogatory as compound.
2 This "interrogatory" contains multiple impermissible subparts, which
3 Propounding Party has propounded in an effort to circumvent the numerical
4 limitations on interrogatories provided by Federal Rule of Civil Procedure
5 33(a)(1).

6 Responding Party further objects to this interrogatory on the grounds
7 that it seeks information that is outside of Responding Party's knowledge.

8 Responding Party further objects to the extent that this interrogatory
9 invades attorney-client privilege and/or violates the work product doctrine by
10 compelling Responding Party to disclose privileged communications and/or
11 litigation strategy. Responding Party will not provide any such information.

12 Responding Party further objects to this interrogatory as premature.
13 Because this interrogatory seeks or necessarily relies upon a contention,
14 and because this matter is in its early stages and pretrial discovery has only
15 just begun, Responding Party is unable to provide a response at this time,
16 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
17 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
18 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
19 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
20 need not be answered until designated discovery is complete, or until a
21 pretrial conference or some other time.").

22 Based upon the foregoing objections, Responding Party will not
23 respond to this interrogatory at this time.

24 **INTERROGATORY NO. 11:**

25 IDENTIFY ALL PERSONS that have knowledge of any facts that
26 support plaintiffs' Seventh Cause of Action in the Complaint (Battery) against
27 BRANT BLAKEMAN, and for each such PERSON identified state all facts
28 you contend are within that PERSON's knowledge.

1 **RESPONSE TO INTERROGATORY NO. 11:**

2 Responding Party objects to this interrogatory as unduly burdensome,
3 harassing, and duplicative of information disclosed in Responding Party's
4 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
5 may look to Responding Party's Rule 26(a) disclosures and supplemental
6 disclosures for the information sought by this interrogatory.

7 Responding Party further objects to this interrogatory as compound.
8 This "interrogatory" contains multiple impermissible subparts, which
9 Propounding Party has propounded in an effort to circumvent the numerical
10 limitations on interrogatories provided by Federal Rule of Civil Procedure
11 33(a)(1).

12 Responding Party further objects to this interrogatory on the grounds
13 that it seeks information that is outside of Responding Party's knowledge.

14 Responding Party further objects to the extent that this interrogatory
15 invades attorney-client privilege and/or violates the work product doctrine by
16 compelling Responding Party to disclose privileged communications and/or
17 litigation strategy. Responding Party will not provide any such information.

18 Responding Party further objects to this interrogatory as premature.
19 Because this interrogatory seeks or necessarily relies upon a contention,
20 and because this matter is in its early stages and pretrial discovery has only
21 just begun, Responding Party is unable to provide a response at this time,
22 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
23 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
24 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
25 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
26 need not be answered until designated discovery is complete, or until a
27 pretrial conference or some other time.").

28 Based upon the foregoing objections, Responding Party will not

1 respond to this interrogatory at this time.

2 **INTERROGATORY NO. 12:**

3 IDENTIFY ALL PERSONS that have knowledge of any facts that
4 support plaintiffs' Eight Cause of Action in the Complaint (Negligence)
5 against BRANT BLAKEMAN, and for each such PERSON identified state all
6 facts you contend are within that PERSON's knowledge.

7 **RESPONSE TO INTERROGATORY NO. 12:**

8 Responding Party objects to this interrogatory as unduly burdensome,
9 harassing, and duplicative of information disclosed in Responding Party's
10 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
11 may look to Responding Party's Rule 26(a) disclosures and supplemental
12 disclosures for the information sought by this interrogatory.

13 Responding Party further objects to this interrogatory as compound.
14 This "interrogatory" contains multiple impermissible subparts, which
15 Propounding Party has propounded in an effort to circumvent the numerical
16 limitations on interrogatories provided by Federal Rule of Civil Procedure
17 33(a)(1).

18 Responding Party further objects to this interrogatory on the grounds
19 that it seeks information that is outside of Responding Party's knowledge.

20 Responding Party further objects to the extent that this interrogatory
21 invades attorney-client privilege and/or violates the work product doctrine by
22 compelling Responding Party to disclose privileged communications and/or
23 litigation strategy. Responding Party will not provide any such information.

24 Responding Party further objects to this interrogatory as premature.
25 Because this interrogatory seeks or necessarily relies upon a contention,
26 and because this matter is in its early stages and pretrial discovery has only
27 just begun, Responding Party is unable to provide a response at this time,
28 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014

1 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
2 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
3 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
4 need not be answered until designated discovery is complete, or until a
5 pretrial conference or some other time.").

6 Based upon the foregoing objections, Responding Party will not
7 respond to this interrogatory at this time.

8

9 DATED: October 20, 2016

HANSON BRIDGETT LLP

10

11

By:

KURT A. FRANKLIN
SAMANTHA D. WOLFF
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SPENCER, DIANA MILENA REED, and
COASTAL PROTECTION RANGERS,
INC.

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12755070.1

PROOF OF SERVICE

Spencer, et al. v. Lunada Bay Boys, et al.
U.S.D.C. for the Central District of California
Case No. 2:16-cv-02129-SJO (RAOx)

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, State of California. My business address is 425 Market Street, 26th Floor, San Francisco, CA 94105.

On October 20, 2016, I served the original or a true copy of the following document(s) described as:

**PLAINTIFF DIANA MILENA REED'S RESPONSE TO
INTERROGATORIES, SET ONE, PROPOUNDED BY
DEFENDANT BRANT BLAKEMAN**

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 20, 2016, at San Francisco, California.

Ann D. Ghiorso

SERVICE LIST

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U.S.D.C. for the Central District of California
Case No. 2:16-cv-02129-SJO (RAOx)

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17 Attorneys for Plaintiffs CORY
SPENCER, DIANA MILENA REED,
18 and COASTAL PROTECTION
RANGERS, INC.

19

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
California non-profit public benefit
26 corporation,

27

28

Plaintiffs.

CASE NO. 2:16-cv-02129-SJO (RAOx)

**PLAINTIFF COASTAL PROTECTION
RANGERS, INC.'S RESPONSE TO
INTERROGATORIES, SET ONE,
PROPOUNDED BY DEFENDANT
BRANT BLAKEMAN**

12768940.1

2:16-cv-02129-SJO (RAOx)

PLAINTIFF COASTAL PROTECTION RANGERS, INC.'S RESPONSE TO INTERROGATORIES,
SET ONE, PROPOUNDED BY DEFENDANT BRANT BLAKEMAN

v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including,
but not limited to, SANG LEE,
6 BRANT BLAKEMAN, ALAN
7 JOHNSTON AKA JALIAN
JOHNSTON, MICHAEL RAE
PAPAYANS, ANGELO FERRARA,
8 FRANK FERRARA, CHARLIE
FERRARA, and N. F.; CITY OF
9 PALOS VERDES ESTATES;
10 CHIEF OF POLICE JEFF
KEPLEY, in his representative
11 capacity; and DOES 1-10,

Defendants.

15 PROPOUNDING PARTY:Defendant BRANT BLAKEMAN
16 RESPONDING PARTY: Plaintiff COASTAL PROTECTION RANGERS,
17 INC.

18 | SET NO.: One

19 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Plaintiff
20 COASTAL PROTECTION RANGERS, INC. ("Responding Party") hereby
21 submits these objections and responses to Interrogatories, Set One,
22 propounded by Defendant BRANT BLAKEMAN ("Propounding Party").

PRELIMINARY STATEMENT

Nothing in this response should be construed as an admission by Responding Party with respect to the admissibility or relevance of any fact, or of the truth or accuracy of any characterization or statement of any kind contained in Propounding Party's Interrogatories. Responding Party has not completed its investigation of the facts relating to this case, its discovery or

1 its preparation for trial. All responses and objections contained herein are
2 based only upon information that is presently available to and specifically
3 known by Responding Party. It is anticipated that further discovery,
4 independent investigation, legal research and analysis will supply additional
5 facts and add meaning to known facts, as well as establish entirely new
6 factual conclusions and legal contentions, all of which may lead to
7 substantial additions to, changes in and variations from the responses set
8 forth herein. The following objections and responses are made without
9 prejudice to Responding Party's right to produce at trial, or otherwise,
10 evidence regarding any subsequently discovered information. Responding
11 Party accordingly reserves the right to modify and amend any and all
12 responses herein as research is completed and contentions are made.

13 **RESPONSES TO INTERROGATORIES**

14 **INTERROGATORY NO. 1:**

15 IDENTIFY ALL PERSONS that have knowledge of any facts that
16 support your contention that BRANT BLAKEMAN participated in any way in
17 the "commission of enumerated 'predicate crimes'" as alleged in paragraph
18 5 of the Complaint, and for each such PERSON identified state all facts you
19 contend are within that PERSON's knowledge.

20 **RESPONSE TO INTERROGATORY NO. 1:**

21 Responding Party objects to this interrogatory as unduly burdensome,
22 harassing, and duplicative of information disclosed in Responding Party's
23 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
24 may look to Responding Party's Rule 26(a) disclosures and supplemental
25 disclosures for the information sought by this interrogatory.

26 Responding Party further objects to this interrogatory as compound.
27 This "interrogatory" contains multiple impermissible subparts, which
28 Propounding Party has propounded in an effort to circumvent the numerical

1 limitations on interrogatories provided by Federal Rule of Civil Procedure
2 33(a)(1).

3 Responding Party further objects to this interrogatory on the grounds
4 that it seeks information that is outside of Responding Party's knowledge.

5 Responding Party further objects to the extent that this interrogatory
6 invades attorney-client privilege and/or violates the work product doctrine by
7 compelling Responding Party to disclose privileged communications and/or
8 litigation strategy. Responding Party will not provide any such information.

9 Responding Party further objects to this interrogatory as premature.
10 Because this interrogatory seeks or necessarily relies upon a contention,
11 and because this matter is in its early stages and pretrial discovery has only
12 just begun, Responding Party is unable to provide a response at this time,
13 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
14 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
15 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
16 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
17 need not be answered until designated discovery is complete, or until a
18 pretrial conference or some other time.").

19 Based upon the foregoing objections, Responding Party will not
20 respond to this interrogatory at this time.

21 **INTERROGATORY NO. 2:**

22 IDENTIFY ALL PERSONS that have knowledge of any facts that
23 support your contention in paragraph 7 of the Complaint that BRANT
24 BLAKEMAN "is responsible in some manner for the Bane Act violations and
25 public nuisance described in the Complaint" and for each such PERSON
26 identified state all facts you contend are within that PERSON's knowledge.

27 **RESPONSE TO INTERROGATORY NO. 2:**

28 Responding Party objects to this interrogatory as unduly burdensome,

1 harassing, and duplicative of information disclosed in Responding Party's
2 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
3 may look to Responding Party's Rule 26(a) disclosures and supplemental
4 disclosures for the information sought by this interrogatory.

5 Responding Party further objects to this interrogatory as compound.
6 This "interrogatory" contains multiple impermissible subparts, which
7 Propounding Party has propounded in an effort to circumvent the numerical
8 limitations on interrogatories provided by Federal Rule of Civil Procedure
9 33(a)(1).

10 Responding Party further objects to this interrogatory on the grounds
11 that it seeks information that is outside of Responding Party's knowledge.

12 Responding Party further objects to the extent that this interrogatory
13 invades attorney-client privilege and/or violates the work product doctrine by
14 compelling Responding Party to disclose privileged communications and/or
15 litigation strategy. Responding Party will not provide any such information.

16 Responding Party further objects to this interrogatory as premature.
17 Because this interrogatory seeks or necessarily relies upon a contention,
18 and because this matter is in its early stages and pretrial discovery has only
19 just begun, Responding Party is unable to provide a response at this time,
20 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
21 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
22 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
23 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
24 need not be answered until designated discovery is complete, or until a
25 pretrial conference or some other time.").

26 Based upon the foregoing objections, Responding Party will not
27 respond to this interrogatory at this time.

28 / / /

1 **INTERROGATORY NO. 3:**

2 IDENTIFY ALL PERSONS that have knowledge of any facts that
3 support your contention in paragraph 18 of the Complaint that BRANT
4 BLAKEMAN "sell[s] market[s] and use[s] illegal controlled substances from
5 the Lunada Bay Bluffs and the Rock Fort" and for each such PERSON
6 identified state all facts you contend are within the PERSON's knowledge.

7 **RESPONSE TO INTERROGATORY NO. 3:**

8 Responding Party objects to this interrogatory as unduly burdensome,
9 harassing, and duplicative of information disclosed in Responding Party's
10 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
11 may look to Responding Party's Rule 26(a) disclosures and supplemental
12 disclosures for the information sought by this interrogatory.

13 Responding Party further objects to this interrogatory as compound.
14 This "interrogatory" contains multiple impermissible subparts, which
15 Propounding Party has propounded in an effort to circumvent the numerical
16 limitations on interrogatories provided by Federal Rule of Civil Procedure
17 33(a)(1).

18 Responding Party further objects to this interrogatory on the grounds
19 that it seeks information that is outside of Responding Party's knowledge.

20 Responding Party further objects to the extent that this interrogatory
21 invades attorney-client privilege and/or violates the work product doctrine by
22 compelling Responding Party to disclose privileged communications and/or
23 litigation strategy. Responding Party will not provide any such information.

24 Responding Party further objects to this interrogatory as premature.
25 Because this interrogatory seeks or necessarily relies upon a contention,
26 and because this matter is in its early stages and pretrial discovery has only
27 just begun, Responding Party is unable to provide a response at this time,
28 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014

1 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
2 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
3 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
4 need not be answered until designated discovery is complete, or until a
5 pretrial conference or some other time.").

6 Based upon the foregoing objections, Responding Party will not
7 respond to this interrogatory at this time.

8 **INTERROGATORY NO. 4:**

9 IDENTIFY ALL PERSONS that have knowledge of any facts that
10 support your contention in paragraph 18 of the Complaint that BRANT
11 BLAKEMAN "impede[d] boat traffic" at any time, and for each such PERSON
12 identified state all facts you contend are within that PERSON's knowledge.

13 **RESPONSE TO INTERROGATORY NO. 4:**

14 Responding Party objects to this interrogatory as unduly burdensome,
15 harassing, and duplicative of information disclosed in Responding Party's
16 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
17 may look to Responding Party's Rule 26(a) disclosures and supplemental
18 disclosures for the information sought by this interrogatory.

19 Responding Party further objects to this interrogatory as compound.
20 This "interrogatory" contains multiple impermissible subparts, which
21 Propounding Party has propounded in an effort to circumvent the numerical
22 limitations on interrogatories provided by Federal Rule of Civil Procedure
23 33(a)(1).

24 Responding Party further objects to this interrogatory on the grounds
25 that it seeks information that is outside of Responding Party's knowledge.

26 Responding Party further objects to the extent that this interrogatory
27 invades attorney-client privilege and/or violates the work product doctrine by
28 compelling Responding Party to disclose privileged communications and/or

1 litigation strategy. Responding Party will not provide any such information.

2 Responding Party further objects to this interrogatory as premature.
3 Because this interrogatory seeks or necessarily relies upon a contention,
4 and because this matter is in its early stages and pretrial discovery has only
5 just begun, Responding Party is unable to provide a response at this time,
6 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
7 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
8 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
9 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
10 need not be answered until designated discovery is complete, or until a
11 pretrial conference or some other time.").

12 Based upon the foregoing objections, Responding Party will not
13 respond to this interrogatory at this time.

14 **INTERROGATORY NO. 5:**

15 IDENTIFY ALL PERSONS that have knowledge of any facts that
16 support your contention in paragraph 18 of the Complaint that BRANT
17 BLAKEMAN "dangerously disregard[ed] surfing rules" at any time, and for
18 each such PERSON identified state all facts you contend are within that
19 PERSON's knowledge.

20 **RESPONSE TO INTERROGATORY NO. 5:**

21 Responding Party objects to this interrogatory as unduly burdensome,
22 harassing, and duplicative of information disclosed in Responding Party's
23 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
24 may look to Responding Party's Rule 26(a) disclosures and supplemental
25 disclosures for the information sought by this interrogatory.

26 Responding Party further objects to this interrogatory as compound.
27 This "interrogatory" contains multiple impermissible subparts, which
28 Propounding Party has propounded in an effort to circumvent the numerical

1 limitations on interrogatories provided by Federal Rule of Civil Procedure
2 33(a)(1).

3 Responding Party further objects to this interrogatory on the grounds
4 that it seeks information that is outside of Responding Party's knowledge.

5 Responding Party further objects to the extent that this interrogatory
6 invades attorney-client privilege and/or violates the work product doctrine by
7 compelling Responding Party to disclose privileged communications and/or
8 litigation strategy. Responding Party will not provide any such information.

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10 Because this interrogatory seeks or necessarily relies upon a contention,
11 and because this matter is in its early stages and pretrial discovery has only
12 just begun, Responding Party is unable to provide a response at this time,
13 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
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15 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
16 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
17 need not be answered until designated discovery is complete, or until a
18 pretrial conference or some other time.").

19 Based upon the foregoing objections, Responding Party will not
20 respond to this interrogatory at this time.

21 **INTERROGATORY NO. 6:**

22 IDENTIFY ALL PERSONS that have knowledge of any facts that
23 support your contention that BRANT BLAKEMAN has illegally extorted
24 money from beachgoers who wish to use Lunada Bay for recreational
25 purposes (See paragraph 33j. of the Complaint), and for each such
26 PERSON identified state all facts you contend are within that PERSON's
27 knowledge.

28 / / /

1 **RESPONSE TO INTERROGATORY NO. 6:**

2 Responding Party objects to this interrogatory as unduly burdensome,
3 harassing, and duplicative of information disclosed in Responding Party's
4 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
5 may look to Responding Party's Rule 26(a) disclosures and supplemental
6 disclosures for the information sought by this interrogatory.

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8 This "interrogatory" contains multiple impermissible subparts, which
9 Propounding Party has propounded in an effort to circumvent the numerical
10 limitations on interrogatories provided by Federal Rule of Civil Procedure
11 33(a)(1).

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13 that it seeks information that is outside of Responding Party's knowledge.

14 Responding Party further objects to the extent that this interrogatory
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16 compelling Responding Party to disclose privileged communications and/or
17 litigation strategy. Responding Party will not provide any such information.

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19 Because this interrogatory seeks or necessarily relies upon a contention,
20 and because this matter is in its early stages and pretrial discovery has only
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22 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
23 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
24 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
25 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
26 need not be answered until designated discovery is complete, or until a
27 pretrial conference or some other time.").

28 Based upon the foregoing objections, Responding Party will not

1 respond to this interrogatory at this time.

2 **INTERROGATORY NO. 7:**

3 IDENTIFY ALL PERSONS that have knowledge of any facts that
4 support your contention that BRANT BLAKEMAN was a part of a Civil
5 Conspiracy as identified in your complaint in paragraphs 51 through 53, and
6 for each such PERSON identified state all facts you contend are within that
7 PERSON's knowledge.

8 **RESPONSE TO INTERROGATORY NO. 7:**

9 Responding Party objects to this interrogatory as unduly burdensome,
10 harassing, and duplicative of information disclosed in Responding Party's
11 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
12 may look to Responding Party's Rule 26(a) disclosures and supplemental
13 disclosures for the information sought by this interrogatory.

14 Responding Party further objects to this interrogatory as compound.
15 This "interrogatory" contains multiple impermissible subparts, which
16 Propounding Party has propounded in an effort to circumvent the numerical
17 limitations on interrogatories provided by Federal Rule of Civil Procedure
18 33(a)(1).

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21 Responding Party further objects to the extent that this interrogatory
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23 compelling Responding Party to disclose privileged communications and/or
24 litigation strategy. Responding Party will not provide any such information.

25 Responding Party further objects to this interrogatory as premature.
26 Because this interrogatory seeks or necessarily relies upon a contention,
27 and because this matter is in its early stages and pretrial discovery has only
28 just begun, Responding Party is unable to provide a response at this time,

1 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
2 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
3 *Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
4 R. Civ. P. 33(a)(2) (“the court may order that [a contention] interrogatory
5 need not be answered until designated discovery is complete, or until a
6 pretrial conference or some other time.”).

7 Based upon the foregoing objections, Responding Party will not
8 respond to this interrogatory at this time.

9 **INTERROGATORY NO. 8:**

10 IDENTIFY ALL PERSONS that have knowledge of any facts that
11 support plaintiffs' First Cause of Action in the Complaint (Bane Act
12 Violations) against BRANT BLAKEMAN, and for each such PERSON
13 identified state all facts you contend are within that PERSON's knowledge.

14 **RESPONSE TO INTERROGATORY NO. 8:**

15 Responding Party objects to this interrogatory as unduly burdensome,
16 harassing, and duplicative of information disclosed in Responding Party's
17 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
18 may look to Responding Party's Rule 26(a) disclosures and supplemental
19 disclosures for the information sought by this interrogatory.

20 Responding Party further objects to this interrogatory as compound.
21 This “interrogatory” contains multiple impermissible subparts, which
22 Propounding Party has propounded in an effort to circumvent the numerical
23 limitations on interrogatories provided by Federal Rule of Civil Procedure
24 33(a)(1).

25 Responding Party further objects to this interrogatory on the grounds
26 that it seeks information that is outside of Responding Party's knowledge.

27 Responding Party further objects to the extent that this interrogatory
28 invades attorney-client privilege and/or violates the work product doctrine by

1 compelling Responding Party to disclose privileged communications and/or
2 litigation strategy. Responding Party will not provide any such information.

3 Responding Party further objects to this interrogatory as premature.
4 Because this interrogatory seeks or necessarily relies upon a contention,
5 and because this matter is in its early stages and pretrial discovery has only
6 just begun, Responding Party is unable to provide a response at this time,
7 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
8 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
9 *Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
10 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
11 need not be answered until designated discovery is complete, or until a
12 pretrial conference or some other time.").

13 Based upon the foregoing objections, Responding Party will not
14 respond to this interrogatory at this time.

15 **INTERROGATORY NO. 9:**

16 IDENTIFY ALL PERSONS that have knowledge of any facts that
17 support plaintiffs' Second Cause of Action in the Complaint (Public
18 Nuisance) against BRANT BLAKEMAN, and for each such PERSON
19 identified state all facts you contend are within that PERSON's knowledge.

20 **RESPONSE TO INTERROGATORY NO. 9:**

21 Responding Party objects to this interrogatory as unduly burdensome,
22 harassing, and duplicative of information disclosed in Responding Party's
23 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
24 may look to Responding Party's Rule 26(a) disclosures and supplemental
25 disclosures for the information sought by this interrogatory.

26 Responding Party further objects to this interrogatory as compound.
27 This "interrogatory" contains multiple impermissible subparts, which
28 Propounding Party has propounded in an effort to circumvent the numerical

1 limitations on interrogatories provided by Federal Rule of Civil Procedure
2 33(a)(1).

3 Responding Party further objects to this interrogatory on the grounds
4 that it seeks information that is outside of Responding Party's knowledge.

5 Responding Party further objects to the extent that this interrogatory
6 invades attorney-client privilege and/or violates the work product doctrine by
7 compelling Responding Party to disclose privileged communications and/or
8 litigation strategy. Responding Party will not provide any such information.

9 Responding Party further objects to this interrogatory as premature.
10 Because this interrogatory seeks or necessarily relies upon a contention,
11 and because this matter is in its early stages and pretrial discovery has only
12 just begun, Responding Party is unable to provide a response at this time,
13 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
14 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
15 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
16 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
17 need not be answered until designated discovery is complete, or until a
18 pretrial conference or some other time.").

19 Based upon the foregoing objections, Responding Party will not
20 respond to this interrogatory at this time.

21 **INTERROGATORY NO. 10:**

22 IDENTIFY ALL PERSONS that have knowledge of any facts that
23 support plaintiffs' Sixth Cause of Action in the Complaint (Assault) against
24 BRANT BLAKEMAN, and for each such PERSON identified state all facts
25 you contend are within that PERSON's knowledge.

26 **RESPONSE TO INTERROGATORY NO. 10:**

27 Responding Party objects to this interrogatory as unduly burdensome,
28 harassing, and duplicative of information disclosed in Responding Party's

1 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
2 may look to Responding Party's Rule 26(a) disclosures and supplemental
3 disclosures for the information sought by this interrogatory.

4 Responding Party further objects to this interrogatory as compound.
5 This "interrogatory" contains multiple impermissible subparts, which
6 Propounding Party has propounded in an effort to circumvent the numerical
7 limitations on interrogatories provided by Federal Rule of Civil Procedure
8 33(a)(1).

9 Responding Party further objects to this interrogatory on the grounds
10 that it seeks information that is outside of Responding Party's knowledge.

11 Responding Party further objects to the extent that this interrogatory
12 invades attorney-client privilege and/or violates the work product doctrine by
13 compelling Responding Party to disclose privileged communications and/or
14 litigation strategy. Responding Party will not provide any such information.

15 Responding Party further objects to this interrogatory as premature.
16 Because this interrogatory seeks or necessarily relies upon a contention,
17 and because this matter is in its early stages and pretrial discovery has only
18 just begun, Responding Party is unable to provide a response at this time,
19 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
20 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
21 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
22 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory
23 need not be answered until designated discovery is complete, or until a
24 pretrial conference or some other time.").

25 Based upon the foregoing objections, Responding Party will not
26 respond to this interrogatory at this time.

27 **INTERROGATORY NO. 11:**

28 IDENTIFY ALL PERSONS that have knowledge of any facts that

1 support plaintiffs' Seventh Cause of Action in the Complaint (Battery) against
2 BRANT BLAKEMAN, and for each such PERSON identified state all facts
3 you contend are within that PERSON's knowledge.

4 **RESPONSE TO INTERROGATORY NO. 11:**

5 Responding Party objects to this interrogatory as unduly burdensome,
6 harassing, and duplicative of information disclosed in Responding Party's
7 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
8 may look to Responding Party's Rule 26(a) disclosures and supplemental
9 disclosures for the information sought by this interrogatory.

10 Responding Party further objects to this interrogatory as compound.
11 This "interrogatory" contains multiple impermissible subparts, which
12 Propounding Party has propounded in an effort to circumvent the numerical
13 limitations on interrogatories provided by Federal Rule of Civil Procedure
14 33(a)(1).

15 Responding Party further objects to this interrogatory on the grounds
16 that it seeks information that is outside of Responding Party's knowledge.

17 Responding Party further objects to the extent that this interrogatory
18 invades attorney-client privilege and/or violates the work product doctrine by
19 compelling Responding Party to disclose privileged communications and/or
20 litigation strategy. Responding Party will not provide any such information.

21 Responding Party further objects to this interrogatory as premature.
22 Because this interrogatory seeks or necessarily relies upon a contention,
23 and because this matter is in its early stages and pretrial discovery has only
24 just begun, Responding Party is unable to provide a response at this time,
25 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
26 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
27 *Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
28 R. Civ. P. 33(a)(2) ("the court may order that [a contention] interrogatory

1 need not be answered until designated discovery is complete, or until a
2 pretrial conference or some other time.”).

3 Based upon the foregoing objections, Responding Party will not
4 respond to this interrogatory at this time.

5 **INTERROGATORY NO. 12:**

6 IDENTIFY ALL PERSONS that have knowledge of any facts that
7 support plaintiffs' Eight Cause of Action in the Complaint (Negligence)
8 against BRANT BLAKEMAN, and for each such PERSON identified state all
9 facts you contend are within that PERSON's knowledge.

10 **RESPONSE TO INTERROGATORY NO. 12:**

11 Responding Party objects to this interrogatory as unduly burdensome,
12 harassing, and duplicative of information disclosed in Responding Party's
13 Rule 26(a) disclosures and supplemental disclosures. Propounding Party
14 may look to Responding Party's Rule 26(a) disclosures and supplemental
15 disclosures for the information sought by this interrogatory.

16 Responding Party further objects to this interrogatory as compound.
17 This “interrogatory” contains multiple impermissible subparts, which
18 Propounding Party has propounded in an effort to circumvent the numerical
19 limitations on interrogatories provided by Federal Rule of Civil Procedure
20 33(a)(1).

21 Responding Party further objects to this interrogatory on the grounds
22 that it seeks information that is outside of Responding Party's knowledge.

23 Responding Party further objects to the extent that this interrogatory
24 invades attorney-client privilege and/or violates the work product doctrine by
25 compelling Responding Party to disclose privileged communications and/or
26 litigation strategy. Responding Party will not provide any such information.

27 Responding Party further objects to this interrogatory as premature.
28 Because this interrogatory seeks or necessarily relies upon a contention,

1 and because this matter is in its early stages and pretrial discovery has only
2 just begun, Responding Party is unable to provide a response at this time,
3 nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014
4 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad*
5 Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.; see also Fed.
6 R. Civ. P. 33(a)(2) (“the court may order that [a contention] interrogatory
7 need not be answered until designated discovery is complete, or until a
8 pretrial conference or some other time.”).

9 Based upon the foregoing objections, Responding Party will not
10 respond to this interrogatory at this time.

11

12 || DATED: October 20, 2016

HANSON BRIDGETT LLP

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By:

KURT A. FRANKLIN
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Attorneys for Plaintiffs CORY
SPENCER, DIANA MILENA REED, and
COASTAL PROTECTION RANGERS,
INC.

PROOF OF SERVICE

Spencer, et al. v. Lunada Bay Boys, et al.
U.S.D.C. for the Central District of California
Case No. 2:16-cv-02129-SJO (RAOx)

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, State of California. My business address is 425 Market Street, 26th Floor, San Francisco, CA 94105.

On October 20, 2016, I served the original or a true copy of the following document(s) described as:

**PLAINTIFF COASTAL PROTECTION RANGERS, INC.'S
RESPONSE TO INTERROGATORIES, SET ONE,
PROPOUNDED BY DEFENDANT BRANT BLAKEMAN**

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 20, 2016, at San Francisco, California.

Ann D. Ghiorso
Ann D. Ghiorso

SERVICE LIST

Spencer, et al. v. Lunada Bay Boys, et al.
U.S.D.C. for the Central District of California
Case No. 2:16-cv-02129-SJO (RAOx)

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24 Rebecca L. Wilson, Esq. POLICE JEFF KEPLEY)
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EXHIBIT 10

RTM-JPN-RPD

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16 Attorneys for Plaintiffs CORY
SPENCER, DIANA MILENA REED,
and COASTAL PROTECTION
RANGERS, INC.

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
California non-profit public benefit
26 corporation.

CASE NO. 2:16-cv-02129-SJO (RAOx)

**PLAINTIFF CORY SPENCER'S
RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS,
SET ONE, PROPOUNDED BY
DEFENDANT BRANT BLAKEMAN**

Plaintiffs.

1
2

v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including,
6 but not limited to, SANG LEE,
7 BRANT BLAKEMAN, ALAN
8 JOHNSTON AKA JALIAN
9 JOHNSTON, MICHAEL RAE
10 PAPAYANS, ANGELO FERRARA,
11 FRANK FERRARA, CHARLIE
12 FERRARA, and N. F.; CITY OF
13 PALOS VERDES ESTATES;
14 CHIEF OF POLICE JEFF
15 KEPLEY, in his representative
16 capacity; and DOES 1-10,

17 Defendants.

18

19 **PROPOUNDING PARTY:Defendant BRANT BLAKEMAN**

20 **RESPONDING PARTY: Plaintiff CORY SPENCER**

21 **SET NO.: One**

22 Pursuant to Federal Rule of Civil Procedure 34, Plaintiff CORY
23 SPENCER ("Responding Party") submits these responses and objections to
24 Request for Production, Set One, propounded by Defendant BRANT
25 BLAKEMAN ("Propounding Party").

26 **PRELIMINARY STATEMENT**

27 Nothing in this response should be construed as an admission by
28 Responding Party with respect to the admissibility or relevance of any fact or
document, or of the truth or accuracy of any characterization or statement of
any kind contained in Propounding Party's Request for Production.
Responding Party has not completed its investigation of the facts relating to
this case, its discovery or its preparation for trial. All responses and

1 objections contained herein are based only upon such information and such
2 documents that are presently available to and specifically known by
3 Responding Party. It is anticipated that further discovery, independent
4 investigation, legal research and analysis will supply additional facts and add
5 meaning to known facts, as well as establish entirely new factual
6 conclusions and legal contentions, all of which may lead to substantial
7 additions to, changes in and variations from the responses set forth herein.
8 The following objections and responses are made without prejudice to
9 Responding Party's right to produce at trial, or otherwise, evidence
10 regarding any subsequently discovered documents. Responding Party
11 accordingly reserves the right to modify and amend any and all responses
12 herein as research is completed and contentions are made.

13 **RESPONSES TO REQUEST FOR PRODUCTION**

14 **REQUEST FOR PRODUCTION NO. 1:**

15 Any and all DOCUMENTS that support your contention that any [sic]
16 BRANT BLAKEMAN participated in any way in the "commission of
17 enumerated 'predicate crimes'" as alleged in paragraph 5 of the Complaint.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

19 Responding Party objects to this request for production as premature.
20 Because this request for production necessarily relies upon a contention,
21 and because this matter is in its early stages and pretrial discovery has only
22 just begun, Responding Party is unable to provide a complete response at
23 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

27 Responding Party further objects to this request on the grounds that it
28 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe

1 with reasonable particularity each item or category of items to be inspected.”
2 Propounding Party’s request for production does not describe an item or
3 category of items with reasonable particularity.

4 Responding Party further objects to the extent that this request for
5 production invades attorney-client privilege and/or violates the work product
6 doctrine by compelling Responding Party to disclose privileged
7 communications and/or litigation strategy. Responding Party will not provide
8 any such information.

9 Subject to and without waiver of the foregoing objections, Responding
10 Party responds as follows:

11 Responding Party will produce all responsive documents within its
12 possession, custody, or control.

13 **REQUEST FOR PRODUCTION NO. 2:**

14 Any and all DOCUMENTS that support your contention in paragraph 7
15 of the Complaint that BRANT BLAKEMAN “is responsible in some manner
16 for the Bane Act violations and public nuisance described in the Complaint.”

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

18 Responding Party objects to this request for production as premature.
19 Because this request for production necessarily relies upon a contention,
20 and because this matter is in its early stages and pretrial discovery has only
21 just begun, Responding Party is unable to provide a complete response at
22 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

26 Responding Party further objects to this request on the grounds that it
27 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to “describe
28 with reasonable particularity each item or category of items to be inspected.”

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party will produce all responsive documents within its
11 possession, custody, or control.

12 **REQUEST FOR PRODUCTION NO. 3:**

13 Any and all DOCUMENTS that support your contention in paragraph
14 18 of the Complaint that BRANT BLAKEMAN "sell[s] market[s] and use[s]
15 illegal controlled substances from the Lunada Bay Bluffs and the Rock Fort."

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

17 Responding Party objects to this request for production as premature.
18 Because this request for production necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

25 Responding Party further objects to this request on the grounds that it
26 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
27 with reasonable particularity each item or category of items to be inspected."

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party will produce all responsive documents within its
11 possession, custody, or control.

12 **REQUEST FOR PRODUCTION NO. 4:**

13 Any and all DOCUMENTS that support your contention in paragraph
14 18 of the Complaint that BRANT BLAKEMAN "impede[d] boat traffic" at any
15 time.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

17 Responding Party objects to this request for production as premature.
18 Because this request for production necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

25 Responding Party further objects to this request on the grounds that it
26 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
27 with reasonable particularity each item or category of items to be inspected."

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party will produce all responsive documents within its
11 possession, custody, or control.

12 **REQUEST FOR PRODUCTION NO. 5:**

13 Any and all DOCUMENTS that support your contention in paragraph
14 18 of the Complaint that BRANT BLAKEMAN "dangerously disregard[ed]
15 surfing rules" at any time.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

17 Responding Party objects to this request for production as premature.
18 Because this request for production necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

25 Responding Party further objects to this request on the grounds that it
26 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
27 with reasonable particularity each item or category of items to be inspected."

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party will produce all responsive documents within its
11 possession, custody, or control.

12 **REQUEST FOR PRODUCTION NO. 6:**

13 Any and all DOCUMENTS that support your contention that BRANT
14 BLAKEMAN has illegally extorted money from beachgoers who wish to use
15 Lunada Bay for recreational purposes. (See paragraph 33 j. of the
16 Complaint.)

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

18 Responding Party objects to this request for production as premature.
19 Because this request for production necessarily relies upon a contention,
20 and because this matter is in its early stages and pretrial discovery has only
21 just begun, Responding Party is unable to provide a complete response at
22 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

26 Responding Party further objects to this request on the grounds that it
27 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
28 with reasonable particularity each item or category of items to be inspected."

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party has conducted a diligent search and is not presently
11 aware of any responsive documents within Responding Party's possession,
12 custody, or control. Discovery is ongoing, and this contention-based
13 interrogatory is poorly defined and premature. Thus, Responding Party
14 reserves the right to amend this response at the appropriate time in the
15 future if necessary.

16 **REQUEST FOR PRODUCTION NO. 7:**

17 Any and all DOCUMENTS that support your contention that BRANT
18 BLAKEMAN was a part of Civil Conspiracy as identified in your complaint in
19 paragraphs 51 through 53.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

21 Responding Party objects to this request for production as premature.
22 Because this request for production necessarily relies upon a contention,
23 and because this matter is in its early stages and pretrial discovery has only
24 just begun, Responding Party is unable to provide a complete response at
25 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 8:**

16 Any and all DOCUMENTS that support plaintiffs' First Cause of Action
17 in the Complaint (Bane Act Violations) against BRANT BLAKEMAN.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

19 Responding Party objects to this request for production as premature.
20 Because this request for production necessarily relies upon a contention,
21 and because this matter is in its early stages and pretrial discovery has only
22 just begun, Responding Party is unable to provide a complete response at
23 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

27 Responding Party further objects to this request on the grounds that it
28 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe

1 with reasonable particularity each item or category of items to be inspected."
2 Propounding Party's request for production does not describe an item or
3 category of items with reasonable particularity.

4 Responding Party further objects to the extent that this request for
5 production invades attorney-client privilege and/or violates the work product
6 doctrine by compelling Responding Party to disclose privileged
7 communications and/or litigation strategy. Responding Party will not provide
8 any such information.

9 Responding Party further objects to this request on the grounds that it
10 is duplicative of Request No. 2.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 9:**

16 Any and all DOCUMENTS that support plaintiffs' Second Cause of
17 Action in the Complaint (Public Nuisance) against BRANT BLAKEMAN.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

19 Responding Party objects to this request for production as premature.
20 Because this request for production necessarily relies upon a contention,
21 and because this matter is in its early stages and pretrial discovery has only
22 just begun, Responding Party is unable to provide a complete response at
23 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

27 Responding Party further objects to this request on the grounds that it
28 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe

1 with reasonable particularity each item or category of items to be inspected.”
2 Propounding Party’s request for production does not describe an item or
3 category of items with reasonable particularity.

4 Responding Party further objects to the extent that this request for
5 production invades attorney-client privilege and/or violates the work product
6 doctrine by compelling Responding Party to disclose privileged
7 communications and/or litigation strategy. Responding Party will not provide
8 any such information.

9 Subject to and without waiver of the foregoing objections, Responding
10 Party responds as follows:

11 Responding Party will produce all responsive documents within its
12 possession, custody, or control.

13 **REQUEST FOR PRODUCTION NO. 10:**

14 Any and all DOCUMENTS that support plaintiffs’ Sixth Cause of Action
15 in the Complaint (Assault) against BRANT BLAKEMAN.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

17 Responding Party objects to this request for production as premature.
18 Because this request for production necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

25 Responding Party further objects to this request on the grounds that it
26 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to “describe
27 with reasonable particularity each item or category of items to be inspected.”

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party has conducted a diligent search and is not presently
11 aware of any responsive documents within Responding Party's possession,
12 custody, or control. Discovery is ongoing, and this contention-based
13 interrogatory is poorly defined and premature. Thus, Responding Party
14 reserves the right to amend this response at the appropriate time in the
15 future if necessary.

16 **REQUEST FOR PRODUCTION NO. 11:**

17 Any and all DOCUMENTS that support plaintiffs' Seventh Cause of
18 Action in the Complaint (Battery) against BRANT BLAKEMAN.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

20 Responding Party objects to this request for production as premature.
21 Because this request for production necessarily relies upon a contention,
22 and because this matter is in its early stages and pretrial discovery has only
23 just begun, Responding Party is unable to provide a complete response at
24 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

28

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party has conducted a diligent search and is not presently
14 aware of any responsive documents within Responding Party's possession,
15 custody, or control. Discovery is ongoing, and this contention-based
16 interrogatory is poorly defined and premature. Thus, Responding Party
17 reserves the right to amend this response at the appropriate time in the
18 future if necessary.

19 **REQUEST FOR PRODUCTION NO. 12:**

20 Any and all DOCUMENTS that support plaintiffs' Eighth Cause of
21 Action in the Complaint (Negligence) against BRANT BLAKEMAN.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

23 Responding Party objects to this request for production as premature.
24 Because this request for production necessarily relies upon a contention,
25 and because this matter is in its early stages and pretrial discovery has only
26 just begun, Responding Party is unable to provide a complete response at
27 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*

1 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
2 at *1-2.

3 Responding Party further objects to this request on the grounds that it
4 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
5 with reasonable particularity each item or category of items to be inspected."
6 Propounding Party's request for production does not describe an item or
7 category of items with reasonable particularity.

8 Responding Party further objects to the extent that this request for
9 production invades attorney-client privilege and/or violates the work product
10 doctrine by compelling Responding Party to disclose privileged
11 communications and/or litigation strategy. Responding Party will not provide
12 any such information.

13 Subject to and without waiver of the foregoing objections, Responding
14 Party responds as follows:

15 Responding Party has conducted a diligent search and is not presently
16 aware of any responsive documents within Responding Party's possession,
17 custody, or control. Discovery is ongoing, and this contention-based
18 interrogatory is poorly defined and premature. Thus, Responding Party
19 reserves the right to amend this response at the appropriate time in the
20 future if necessary.

21

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1 DATED: October 19, 2016

HANSON BRIDGETT LLP

2
3
4 By:

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SPENCER, DIANA MILENA REED, and
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PROOF OF SERVICE

Spencer, et al. v. Lunada Bay Boys, et al.; USDC, Central District of California, Case No. 2:16-cv-02129-SJÖ (RAOx)

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 500 Capitol Mall, Suite 1500, Sacramento, CA 95814.

On October 20, 2016, I served true copies of the following document(s) described as:

**PLAINTIFF CORY SPENCER'S RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS, SET ONE, PROPOUNDED BY
DEFENDANT BRANT BLAKEMAN**

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

17 I declare under penalty of perjury under the laws of the United States
18 of America that the foregoing is true and correct and that I am employed in
the office of a member of the bar of this Court at whose direction the service
was made.

Executed on October 20, 2016, at Sacramento, California.

Mr Colman

Marie M. Coleman

SERVICE LIST

Spencer, et al. v. Lunada Bay Boys, et al.; USDC, Central District of California, Case No. 2:16-cv-02129-SJO (RAOx)

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17 Attorneys for Plaintiffs CORY
18 SPENCER, DIANA MILENA REED
and COASTAL PROTECTION
RANGERS, INC.

19

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

22
23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
California non-profit public benefit
corporation,

26

27

28

Plaintiffs.

CASE NO. 2:16-cv-02129-SJO (RAOx)

**PLAINTIFF DIANA MILENA REED'S
RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS, SET
ONE, PROPOUNDED BY
DEFENDANT BRANT BLAKEMAN**

1

v.

2

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including,
6 but not limited to, SANG LEE,
7 BRANT BLAKEMAN, ALAN
8 JOHNSTON AKA JALIAN
9 JOHNSTON, MICHAEL RAE
10 PAPAYANS, ANGELO FERRARA,
11 FRANK FERRARA, CHARLIE
12 FERRARA, and N. F.; CITY OF
13 PALOS VERDES ESTATES;
14 CHIEF OF POLICE JEFF
15 KEPLEY, in his representative
16 capacity; and DOES 1-10,

17

Defendants.

18

19 **PROPOUNDING PARTY: Defendant BRANT BLAKEMAN**

20 **RESPONDING PARTY: Plaintiff DIANA MILENA REED**

21

SET NO.: One

22

Pursuant to Federal Rule of Civil Procedure 34, Plaintiff DIANA
MILENA REED ("Responding Party") submits these responses and
objections to Request for Production, Set One, propounded by Defendant
BRANT BLAKEMAN ("Propounding Party").

23

PRELIMINARY STATEMENT

24

Nothing in this response should be construed as an admission by
Responding Party with respect to the admissibility or relevance of any fact or
document, or of the truth or accuracy of any characterization or statement of
any kind contained in Propounding Party's Request for Production.

25

26 Responding Party has not completed its investigation of the facts relating to
27 this case, its discovery or its preparation for trial. All responses and

28

1 objections contained herein are based only upon such information and such
2 documents that are presently available to and specifically known by
3 Responding Party. It is anticipated that further discovery, independent
4 investigation, legal research and analysis will supply additional facts and add
5 meaning to known facts, as well as establish entirely new factual
6 conclusions and legal contentions, all of which may lead to substantial
7 additions to, changes in and variations from the responses set forth herein.
8 The following objections and responses are made without prejudice to
9 Responding Party's right to produce at trial, or otherwise, evidence
10 regarding any subsequently discovered documents. Responding Party
11 accordingly reserves the right to modify and amend any and all responses
12 herein as research is completed and contentions are made.

13 **RESPONSES TO REQUEST FOR PRODUCTION**

14 **REQUEST FOR PRODUCTION NO. 1:**

15 Any and all DOCUMENTS that support your contention that any [sic]
16 BRANT BLAKEMAN participated in any way in the "commission of
17 enumerated 'predicate crimes'" as alleged in paragraph 5 of the Complaint.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

19 Responding Party objects to this request for production as premature.
20 Because this request for production necessarily relies upon a contention,
21 and because this matter is in its early stages and pretrial discovery has only
22 just begun, Responding Party is unable to provide a complete response at
23 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

27 Responding Party further objects to this request on the grounds that it
28 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe

1 with reasonable particularity each item or category of items to be inspected.”
2 Propounding Party’s request for production does not describe an item or
3 category of items with reasonable particularity.

4 Responding Party further objects to the extent that this request for
5 production invades attorney-client privilege and/or violates the work product
6 doctrine by compelling Responding Party to disclose privileged
7 communications and/or litigation strategy. Responding Party will not provide
8 any such information.

9 Subject to and without waiver of the foregoing objections, Responding
10 Party responds as follows:

11 Responding Party will produce all responsive documents within its
12 possession, custody, or control.

13 **REQUEST FOR PRODUCTION NO. 2:**

14 Any and all DOCUMENTS that support your contention in paragraph 7
15 of the Complaint that BRANT BLAKEMAN “is responsible in some manner
16 for the Bane Act violations and public nuisance described in the Complaint.”

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

18 Responding Party objects to this request for production as premature.
19 Because this request for production necessarily relies upon a contention,
20 and because this matter is in its early stages and pretrial discovery has only
21 just begun, Responding Party is unable to provide a complete response at
22 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

26 Responding Party further objects to this request on the grounds that it
27 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to “describe
28 with reasonable particularity each item or category of items to be inspected.”

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party will produce all responsive documents within its
11 possession, custody, or control.

12 **REQUEST FOR PRODUCTION NO. 3:**

13 Any and all DOCUMENTS that support your contention in paragraph
14 18 of the Complaint that BRANT BLAKEMAN "sell[s] market[s] and use[s]
15 illegal controlled substances from the Lunada Bay Bluffs and the Rock Fort."

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

17 Responding Party objects to this request for production as premature.
18 Because this request for production necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
22 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*
23 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
24 at *1-2.

25 Responding Party further objects to this request on the grounds that it
26 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
27 with reasonable particularity each item or category of items to be inspected."

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party will produce all responsive documents within its
11 possession, custody, or control.

12 **REQUEST FOR PRODUCTION NO. 4:**

13 Any and all DOCUMENTS that support your contention in paragraph
14 18 of the Complaint that BRANT BLAKEMAN "impede[d] boat traffic" at any
15 time.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

17 Responding Party objects to this request for production as premature.
18 Because this request for production necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
22 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*
23 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
24 at *1-2.

25 Responding Party further objects to this request on the grounds that it
26 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
27 with reasonable particularity each item or category of items to be inspected."

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party will produce all responsive documents within its
11 possession, custody, or control.

12 **REQUEST FOR PRODUCTION NO. 5:**

13 Any and all DOCUMENTS that support your contention in paragraph
14 18 of the Complaint that BRANT BLAKEMAN "dangerously disregard[ed]
15 surfing rules" at any time.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

17 Responding Party objects to this request for production as premature.
18 Because this request for production necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

25 Responding Party further objects to this request on the grounds that it
26 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
27 with reasonable particularity each item or category of items to be inspected."

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party will produce all responsive documents within its
11 possession, custody, or control.

12 **REQUEST FOR PRODUCTION NO. 6:**

13 Any and all DOCUMENTS that support your contention that BRANT
14 BLAKEMAN has illegally extorted money from beachgoers who wish to use
15 Lunada Bay for recreational purposes. (See paragraph 33 j. of the
16 Complaint.)

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

18 Responding Party objects to this request for production as premature.
19 Because this request for production necessarily relies upon a contention,
20 and because this matter is in its early stages and pretrial discovery has only
21 just begun, Responding Party is unable to provide a complete response at
22 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
23 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
24 at *1-2.

26 Responding Party further objects to this request on the grounds that it
27 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
28 with reasonable particularity each item or category of items to be inspected."

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party has conducted a diligent search and is not presently
11 aware of any responsive documents within Responding Party's possession,
12 custody, or control. Discovery is ongoing, and this contention-based
13 interrogatory is poorly defined and premature. Thus, Responding Party
14 reserves the right to amend this response at the appropriate time in the
15 future if necessary.

16 **REQUEST FOR PRODUCTION NO. 7:**

17 Any and all DOCUMENTS that support your contention that BRANT
18 BLAKEMAN was a part of Civil Conspiracy as identified in your complaint in
19 paragraphs 51 through 53.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

21 Responding Party objects to this request for production as premature.
22 Because this request for production necessarily relies upon a contention,
23 and because this matter is in its early stages and pretrial discovery has only
24 just begun, Responding Party is unable to provide a complete response at
25 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 8:**

16 Any and all DOCUMENTS that support plaintiffs' First Cause of Action
17 in the Complaint (Bane Act Violations) against BRANT BLAKEMAN.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

19 Responding Party objects to this request for production as premature.
20 Because this request for production necessarily relies upon a contention,
21 and because this matter is in its early stages and pretrial discovery has only
22 just begun, Responding Party is unable to provide a complete response at
23 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

27 Responding Party further objects to this request on the grounds that it
28 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe

1 with reasonable particularity each item or category of items to be inspected.”
2 Propounding Party’s request for production does not describe an item or
3 category of items with reasonable particularity.

4 Responding Party further objects to the extent that this request for
5 production invades attorney-client privilege and/or violates the work product
6 doctrine by compelling Responding Party to disclose privileged
7 communications and/or litigation strategy. Responding Party will not provide
8 any such information.

9 Responding Party further objects to this request on the grounds that it
10 is duplicative of Request No. 2.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 9:**

16 Any and all DOCUMENTS that support plaintiffs’ Second Cause of
17 Action in the Complaint (Public Nuisance) against BRANT BLAKEMAN.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

19 Responding Party objects to this request for production as premature.
20 Because this request for production necessarily relies upon a contention,
21 and because this matter is in its early stages and pretrial discovery has only
22 just begun, Responding Party is unable to provide a complete response at
23 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

27 Responding Party further objects to this request on the grounds that it
28 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to “describe

1 with reasonable particularity each item or category of items to be inspected.”
2 Propounding Party’s request for production does not describe an item or
3 category of items with reasonable particularity.

4 Responding Party further objects to the extent that this request for
5 production invades attorney-client privilege and/or violates the work product
6 doctrine by compelling Responding Party to disclose privileged
7 communications and/or litigation strategy. Responding Party will not provide
8 any such information.

9 Subject to and without waiver of the foregoing objections, Responding
10 Party responds as follows:

11 Responding Party will produce all responsive documents within its
12 possession, custody, or control.

13 **REQUEST FOR PRODUCTION NO. 10:**

14 Any and all DOCUMENTS that support plaintiffs’ Sixth Cause of Action
15 in the Complaint (Assault) against BRANT BLAKEMAN.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

17 Responding Party objects to this request for production as premature.
18 Because this request for production necessarily relies upon a contention,
19 and because this matter is in its early stages and pretrial discovery has only
20 just begun, Responding Party is unable to provide a complete response at
21 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

25 Responding Party further objects to this request on the grounds that it
26 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to “describe
27 with reasonable particularity each item or category of items to be inspected.”

1 Propounding Party's request for production does not describe an item or
2 category of items with reasonable particularity.

3 Responding Party further objects to the extent that this request for
4 production invades attorney-client privilege and/or violates the work product
5 doctrine by compelling Responding Party to disclose privileged
6 communications and/or litigation strategy. Responding Party will not provide
7 any such information.

8 Subject to and without waiver of the foregoing objections, Responding
9 Party responds as follows:

10 Responding Party has conducted a diligent search and is not presently
11 aware of any responsive documents within Responding Party's possession,
12 custody, or control. Discovery is ongoing, and this contention-based
13 interrogatory is poorly defined and premature. Thus, Responding Party
14 reserves the right to amend this response at the appropriate time in the
15 future if necessary.

16 **REQUEST FOR PRODUCTION NO. 11:**

17 Any and all DOCUMENTS that support plaintiffs' Seventh Cause of
18 Action in the Complaint (Battery) against BRANT BLAKEMAN.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

20 Responding Party objects to this request for production as premature.
21 Because this request for production necessarily relies upon a contention,
22 and because this matter is in its early stages and pretrial discovery has only
23 just begun, Responding Party is unable to provide a complete response at
24 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party has conducted a diligent search and is not presently
14 aware of any responsive documents within Responding Party's possession,
15 custody, or control. Discovery is ongoing, and this contention-based
16 interrogatory is poorly defined and premature. Thus, Responding Party
17 reserves the right to amend this response at the appropriate time in the
18 future if necessary.

19 **REQUEST FOR PRODUCTION NO. 12:**

20 Any and all DOCUMENTS that support plaintiffs' Eighth Cause of
21 Action in the Complaint (Negligence) against BRANT BLAKEMAN.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

23 Responding Party objects to this request for production as premature.
24 Because this request for production necessarily relies upon a contention,
25 and because this matter is in its early stages and pretrial discovery has only
26 just begun, Responding Party is unable to provide a complete response at
27 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*

1 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
2 at *1-2.

3 Responding Party further objects to this request on the grounds that it
4 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
5 with reasonable particularity each item or category of items to be inspected."
6 Propounding Party's request for production does not describe an item or
7 category of items with reasonable particularity.

8 Responding Party further objects to the extent that this request for
9 production invades attorney-client privilege and/or violates the work product
10 doctrine by compelling Responding Party to disclose privileged
11 communications and/or litigation strategy. Responding Party will not provide
12 any such information.

13 Subject to and without waiver of the foregoing objections, Responding
14 Party responds as follows:

15 Responding Party has conducted a diligent search and is not presently
16 aware of any responsive documents within Responding Party's possession,
17 custody, or control. Discovery is ongoing, and this contention-based
18 interrogatory is poorly defined and premature. Thus, Responding Party
19 reserves the right to amend this response at the appropriate time in the
20 future if necessary.

21

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1 DATED: October 19, 2016

HANSON BRIDGETT LLP

2

3

4 By:

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SPENCER, DIANA MILENA REED, and
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INC.

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PROOF OF SERVICE

Spencer, et al. v. Lunada Bay Boys, et al.; USDC, Central District of California, Case No. 2:16-cv-02129-SJO (RAOx)

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 500 Capitol Mall, Suite 1500, Sacramento, CA 95814.

On October 20, 2016, I served true copies of the following document(s) described as:

**PLAINTIFF DIANA MILENA REED'S RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS, SET ONE, PROPOUNDED BY
DEFENDANT BRANT BLAKEMAN**

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

17 I declare under penalty of perjury under the laws of the United States
18 of America that the foregoing is true and correct and that I am employed in
the office of a member of the bar of this Court at whose direction the service
was made.

Executed on October 20, 2016, at Sacramento, California.

McElroy

Marie M. Coleman

SERVICE LIST

Spencer, et al. v. Lunada Bay Boys, et al.; USDC, Central District of California, Case No. 2:16-cv-02129-SJO (RAOx)

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17 Attorneys for Plaintiffs CORY
SPENCER, DIANA MILENA REED,
18 and COASTAL PROTECTION
RANGERS, INC.
19

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
22

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
California non-profit public benefit
26 corporation,
27

28 Plaintiffs.

CASE NO. 2:16-cv-02129-SJO (RAOx)
PLAINTIFF COASTAL PROTECTION
RANGERS, INC.'S RESPONSE TO
REQUEST FOR PRODUCTION OF
DOCUMENTS, SET ONE,
PROPOUNDED BY DEFENDANT
BRANT BLAKEMAN

1

v.

2
3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including,
6 but not limited to, SANG LEE,
7 BRANT BLAKEMAN, ALAN
8 JOHNSTON AKA JALIAN
9 JOHNSTON, MICHAEL RAE
10 PAPAYANS, ANGELO FERRARA,
11 FRANK FERRARA, CHARLIE
12 FERRARA, and N. F.; CITY OF
13 PALOS VERDES ESTATES;
14 CHIEF OF POLICE JEFF
15 KEPLEY, in his representative
16 capacity; and DOES 1-10,

17

Defendants.

18

PROPOUNDING PARTY: Defendant BRANT BLAKEMAN

19

**RESPONDING PARTY: Plaintiff COASTAL PROTECTION RANGERS,
20 INC.**

21

SET NO.: One

22

Pursuant to Federal Rule of Civil Procedure 34, Plaintiff COASTAL
PROTECTION RANGERS, INC. ("Responding Party") submits these
responses and objections to Request for Production, Set One, propounded
by Defendant BRANT BLAKEMAN ("Propounding Party").

23

PRELIMINARY STATEMENT

24

Nothing in this response should be construed as an admission by
25 Responding Party with respect to the admissibility or relevance of any fact or
26 document, or of the truth or accuracy of any characterization or statement of
27 any kind contained in Propounding Party's Request for Production.
28 Responding Party has not completed its investigation of the facts relating to

1 this case, its discovery or its preparation for trial. All responses and
2 objections contained herein are based only upon such information and such
3 documents that are presently available to and specifically known by
4 Responding Party. It is anticipated that further discovery, independent
5 investigation, legal research and analysis will supply additional facts and add
6 meaning to known facts, as well as establish entirely new factual
7 conclusions and legal contentions, all of which may lead to substantial
8 additions to, changes in and variations from the responses set forth herein.
9 The following objections and responses are made without prejudice to
10 Responding Party's right to produce at trial, or otherwise, evidence
11 regarding any subsequently discovered documents. Responding Party
12 accordingly reserves the right to modify and amend any and all responses
13 herein as research is completed and contentions are made.

14 **RESPONSES TO REQUEST FOR PRODUCTION**

15 **REQUEST FOR PRODUCTION NO. 1:**

16 Any and all DOCUMENTS that support your contention that any [sic]
17 BRANT BLAKEMAN participated in any way in the "commission of
18 enumerated 'predicate crimes'" as alleged in paragraph 5 of the Complaint.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

20 Responding Party objects to this request for production as premature.
21 Because this request for production necessarily relies upon a contention,
22 and because this matter is in its early stages and pretrial discovery has only
23 just begun, Responding Party is unable to provide a complete response at
24 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
25 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
26 at *1-2.
27
28

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 2:**

16 Any and all DOCUMENTS that support your contention in paragraph 7
17 of the Complaint that BRANT BLAKEMAN "is responsible in some manner
18 for the Bane Act violations and public nuisance described in the Complaint."

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

20 Responding Party objects to this request for production as premature.
21 Because this request for production necessarily relies upon a contention,
22 and because this matter is in its early stages and pretrial discovery has only
23 just begun, Responding Party is unable to provide a complete response at
24 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

28

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 3:**

16 Any and all DOCUMENTS that support your contention in paragraph
17 18 of the Complaint that BRANT BLAKEMAN "sell[s] market[s] and use[s]
18 illegal controlled substances from the Lunada Bay Bluffs and the Rock Fort."

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

20 Responding Party objects to this request for production as premature.
21 Because this request for production necessarily relies upon a contention,
22 and because this matter is in its early stages and pretrial discovery has only
23 just begun, Responding Party is unable to provide a complete response at
24 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
25 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
26 at *1-2.
27
28

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 4:**

16 Any and all DOCUMENTS that support your contention in paragraph
17 18 of the Complaint that BRANT BLAKEMAN "impede[d] boat traffic" at any
18 time.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

20 Responding Party objects to this request for production as premature.
21 Because this request for production necessarily relies upon a contention,
22 and because this matter is in its early stages and pretrial discovery has only
23 just begun, Responding Party is unable to provide a complete response at
24 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
25 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*
26 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
27 at *1-2.

28

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 5:**

16 Any and all DOCUMENTS that support your contention in paragraph
17 18 of the Complaint that BRANT BLAKEMAN "dangerously disregard[ed]
18 surfing rules" at any time.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

20 Responding Party objects to this request for production as premature.
21 Because this request for production necessarily relies upon a contention,
22 and because this matter is in its early stages and pretrial discovery has only
23 just begun, Responding Party is unable to provide a complete response at
24 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
25 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
26 at *1-2.
27
28

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party will produce all responsive documents within its
14 possession, custody, or control.

15 **REQUEST FOR PRODUCTION NO. 6:**

16 Any and all DOCUMENTS that support your contention that BRANT
17 BLAKEMAN has illegally extorted money from beachgoers who wish to use
18 Lunada Bay for recreational purposes. (See paragraph 33 j. of the
19 Complaint.)

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

21 Responding Party objects to this request for production as premature.
22 Because this request for production necessarily relies upon a contention,
23 and because this matter is in its early stages and pretrial discovery has only
24 just begun, Responding Party is unable to provide a complete response at
25 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2.

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party has conducted a diligent search and is not presently
14 aware of any responsive documents within Responding Party's possession,
15 custody, or control. Discovery is ongoing, and this contention-based
16 interrogatory is poorly defined and premature. Thus, Responding Party
17 reserves the right to amend this response at the appropriate time in the
18 future if necessary.

19 **REQUEST FOR PRODUCTION NO. 7:**

20 Any and all DOCUMENTS that support your contention that BRANT
21 BLAKEMAN was a part of Civil Conspiracy as identified in your complaint in
22 paragraphs 51 through 53.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

24 Responding Party objects to this request for production as premature.
25 Because this request for production necessarily relies upon a contention,
26 and because this matter is in its early stages and pretrial discovery has only
27 just begun, Responding Party is unable to provide a complete response at
28 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*

1 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*
2 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
3 at *1-2.

4 Responding Party further objects to this request on the grounds that it
5 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
6 with reasonable particularity each item or category of items to be inspected."
7 Propounding Party's request for production does not describe an item or
8 category of items with reasonable particularity.

9 Responding Party further objects to the extent that this request for
10 production invades attorney-client privilege and/or violates the work product
11 doctrine by compelling Responding Party to disclose privileged
12 communications and/or litigation strategy. Responding Party will not provide
13 any such information.

14 Subject to and without waiver of the foregoing objections, Responding
15 Party responds as follows:

16 Responding Party will produce all responsive documents within its
17 possession, custody, or control.

18 **REQUEST FOR PRODUCTION NO. 8:**

19 Any and all DOCUMENTS that support plaintiffs' First Cause of Action
20 in the Complaint (Bane Act Violations) against BRANT BLAKEMAN.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

22 Responding Party objects to this request for production as premature.
23 Because this request for production necessarily relies upon a contention,
24 and because this matter is in its early stages and pretrial discovery has only
25 just begun, Responding Party is unable to provide a complete response at
26 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
27 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*
28

1 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
2 at *1-2.

3 Responding Party further objects to this request on the grounds that it
4 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
5 with reasonable particularity each item or category of items to be inspected."
6 Propounding Party's request for production does not describe an item or
7 category of items with reasonable particularity.

8 Responding Party further objects to the extent that this request for
9 production invades attorney-client privilege and/or violates the work product
10 doctrine by compelling Responding Party to disclose privileged
11 communications and/or litigation strategy. Responding Party will not provide
12 any such information.

13 Responding Party further objects to this request on the grounds that it
14 is duplicative of Request No. 2.

15 Subject to and without waiver of the foregoing objections, Responding
16 Party responds as follows:

17 Responding Party will produce all responsive documents within its
18 possession, custody, or control.

19 **REQUEST FOR PRODUCTION NO. 9:**

20 Any and all DOCUMENTS that support plaintiffs' Second Cause of
21 Action in the Complaint (Public Nuisance) against BRANT BLAKEMAN.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

23 Responding Party objects to this request for production as premature.
24 Because this request for production necessarily relies upon a contention,
25 and because this matter is in its early stages and pretrial discovery has only
26 just begun, Responding Party is unable to provide a complete response at
27 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*

1 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
2 at *1-2.

3 Responding Party further objects to this request on the grounds that it
4 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
5 with reasonable particularity each item or category of items to be inspected."
6 Propounding Party's request for production does not describe an item or
7 category of items with reasonable particularity.

8 Responding Party further objects to the extent that this request for
9 production invades attorney-client privilege and/or violates the work product
10 doctrine by compelling Responding Party to disclose privileged
11 communications and/or litigation strategy. Responding Party will not provide
12 any such information.

13 Subject to and without waiver of the foregoing objections, Responding
14 Party responds as follows:

15 Responding Party will produce all responsive documents within its
16 possession, custody, or control.

17 **REQUEST FOR PRODUCTION NO. 10:**

18 Any and all DOCUMENTS that support plaintiffs' Sixth Cause of Action
19 in the Complaint (Assault) against BRANT BLAKEMAN.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

21 Responding Party objects to this request for production as premature.
22 Because this request for production necessarily relies upon a contention,
23 and because this matter is in its early stages and pretrial discovery has only
24 just begun, Responding Party is unable to provide a complete response at
25 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*,
26 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
27 at *1-2.

1 Responding Party further objects to this request on the grounds that it
2 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
3 with reasonable particularity each item or category of items to be inspected."
4 Propounding Party's request for production does not describe an item or
5 category of items with reasonable particularity.

6 Responding Party further objects to the extent that this request for
7 production invades attorney-client privilege and/or violates the work product
8 doctrine by compelling Responding Party to disclose privileged
9 communications and/or litigation strategy. Responding Party will not provide
10 any such information.

11 Subject to and without waiver of the foregoing objections, Responding
12 Party responds as follows:

13 Responding Party has conducted a diligent search and is not presently
14 aware of any responsive documents within Responding Party's possession,
15 custody, or control. Discovery is ongoing, and this contention-based
16 interrogatory is poorly defined and premature. Thus, Responding Party
17 reserves the right to amend this response at the appropriate time in the
18 future if necessary.

19 **REQUEST FOR PRODUCTION NO. 11:**

20 Any and all DOCUMENTS that support plaintiffs' Seventh Cause of
21 Action in the Complaint (Battery) against BRANT BLAKEMAN.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

23 Responding Party objects to this request for production as premature.
24 Because this request for production necessarily relies upon a contention,
25 and because this matter is in its early stages and pretrial discovery has only
26 just begun, Responding Party is unable to provide a complete response at
27 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*

1 Union Pacific Railroad Company, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
2 at *1-2.

3 Responding Party further objects to this request on the grounds that it
4 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to "describe
5 with reasonable particularity each item or category of items to be inspected."
6 Propounding Party's request for production does not describe an item or
7 category of items with reasonable particularity.

8 Responding Party further objects to the extent that this request for
9 production invades attorney-client privilege and/or violates the work product
10 doctrine by compelling Responding Party to disclose privileged
11 communications and/or litigation strategy. Responding Party will not provide
12 any such information.

13 Subject to and without waiver of the foregoing objections, Responding
14 Party responds as follows:

15 Responding Party has conducted a diligent search and is not presently
16 aware of any responsive documents within Responding Party's possession,
17 custody, or control. Discovery is ongoing, and this contention-based
18 interrogatory is poorly defined and premature. Thus, Responding Party
19 reserves the right to amend this response at the appropriate time in the
20 future if necessary.

21 **REQUEST FOR PRODUCTION NO. 12:**

22 Any and all DOCUMENTS that support plaintiffs' Eighth Cause of
23 Action in the Complaint (Negligence) against BRANT BLAKEMAN.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

25 Responding Party objects to this request for production as premature.
26 Because this request for production necessarily relies upon a contention,
27 and because this matter is in its early stages and pretrial discovery has only
28 just begun, Responding Party is unable to provide a complete response at

1 this time, nor is it required to do so. See *Kmiec v. Powerwave Techs. Inc. et*
2 *al.*, 2014 WL 11512195 (C.D. Cal. Dec. 2, 2014) at *1; see also *Folz v.*
3 *Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014)
4 at *1-2.

5 Responding Party further objects to this request on the grounds that it
6 violates Federal Rule of Civil Procedure 34(b)(1)(A) by failing to “describe
7 with reasonable particularity each item or category of items to be inspected.”
8 Propounding Party’s request for production does not describe an item or
9 category of items with reasonable particularity.

10 Responding Party further objects to the extent that this request for
11 production invades attorney-client privilege and/or violates the work product
12 doctrine by compelling Responding Party to disclose privileged
13 communications and/or litigation strategy. Responding Party will not provide
14 any such information.

15 Subject to and without waiver of the foregoing objections, Responding
16 Party responds as follows:

17 Responding Party has conducted a diligent search and is not presently
18 aware of any responsive documents within Responding Party’s possession,
19 custody, or control. Discovery is ongoing, and this contention-based
20 interrogatory is poorly defined and premature. Thus, Responding Party
21 reserves the right to amend this response at the appropriate time in the
22 future if necessary.

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1 DATED: October 19, 2016

HANSON BRIDGETT LLP

2

3

4 By:

KURT A. FRANKLIN

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CAROLINE ELIZABETH LEE

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Attorneys for Plaintiffs CORY

SPENCER, DIANA MILENA REED, and

COASTAL PROTECTION RANGERS,
INC.

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PROOF OF SERVICE

Spencer, et al. v. Lunada Bay Boys, et al.; USDC, Central District of California, Case No. 2:16-cv-02129-SJO (RAOx)

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 500 Capitol Mall, Suite 1500, Sacramento, CA 95814.

On October 20, 2016, I served true copies of the following document(s) described as:

**PLAINTIFF COASTAL PROTECTION RANGERS, INC.'S RESPONSE TO
REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE,
PROPOUNDED BY DEFENDANT BRANT BLAKEMAN**

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 20, 2016, at Sacramento, California.

McGraw

Marie M. Coleman

1
SERVICE LIST

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3 ***California, Case No. 2:16-cv-02129-SJO (RAOx)***

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Case No. 2:16-cv-02129-SJO (RAOx)

PLAINTIFF COASTAL PROTECTION RANGERS, INC.'S RESPONSE TO REQUEST FOR PRODUCTION,
SET ONE, PROPOUNDED BY DEFENDANT BRANT BLAKEMAN

EXHIBIT 11

John Worgul

From: Richard P. Dieffenbach
Sent: Friday, October 28, 2016 3:38 PM
To: Victor Otten; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey; prossin@veatchfirm.com; John Worgul; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com; amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com; antoinette.hew tt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com; christopher.glos@kutakrock.com; fields@MARKFIELDLAW.COM; Cooper, Robert S.; Rob Mackey
Subject: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;
Attachments: Lunada Meet &confer Oct28.pdf

Dear Counsel

Please see attached letter. We have availability in our office for the face to face meeting October 31, November 1 or 2 (afternoon), or November 3 or 4.

Richard P. Dieffenbach, Esq.

Veatch Carlson, LLP
1055 Wilshire Blvd., 11th Floor
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VEATCH C_ARLSON, LLP

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444

Telephone (213) 381-2861 Facsimile (213) 383-6370

October 28, 2016

SENT VIA FACSIMILE AND EMAIL

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Tyson Shower, Esq.
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Victor Otten, Esq.
Kavita Tekchandani, Esq.
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Torrance, CA 90505
Facsimile: (310) 347-4225

Re: **SPENCER, CORY v. LUNADA BAY BOYS**

Date of Loss : 04/14/16
Our File No. : 010-08018.

Dear Mr. Franklin:

I am in receipt of Plaintiff Cory Spencer's responses to Interrogatories and Request for Production of Documents, Plaintiff Diana Milena Reed's response to Interrogatories and Request for Production of Documents, and Plaintiff Coastal Protection Rangers' response to Interrogatories and Request for Production of Documents.

I write to meet and confer regarding the responses we received, having plaintiffs provide further responses, having plaintiffs produce the records they state they will produce, and also seek a meeting with you within 10 days in accord with Local Rule 37-1.

PLEASE NOTE THAT DUE TO THIS DISPUTE MR. BLAKEMAN WILL NOT BE PRODUCED FOR DEPOSITION UNTIL THIS DISPUTE HAS BEEN RESOLVED.

Plaintiffs each allege causes of action against Mr. Blakeman in his personal capacity and specific to each plaintiff. Each plaintiff has alleged against Mr. Blakeman, not as a member of a group but as an individual, the following:

1. That Mr. Blakeman committed enumerated predicate crimes under Penal Code 186.22

September 2, 2016

Page 2

2. That Mr. Blakeman violated the Bane Act and public nuisance laws;
3. That Mr. Blakeman sold, markets, and uses controlled substances;
4. That Mr. Blakeman impeded boat traffic in navigable waters;
5. That Mr. Blakeman dangerously disregarded surfing rules;
6. That Mr. Blakeman illegally extorted money from beach goers;
7. That Mr. Blakeman is part of a Civil Conspiracy
8. That Mr. Blakeman violated the Bane Act as to each plaintiff;
9. That Mr. Blakeman is a nuisance as to each plaintiff;
10. That Mr. Blakeman assaulted each plaintiff;
11. That Mr. Blakeman battered each plaintiff;
12. That Mr. Blakeman committed some negligent act causing injury to each plaintiff.

The discovery at issue merely seeks the *identification of witnesses*, the *identification of the facts* believed to be within the witness's knowledge and production of documents supporting plaintiffs' specific allegations against *Mr. Blakeman in his personal capacity*.

The discovery requests defined "BRANT BLAKEMAN" as follows:

BRANT BLAKEMAN means only Brant Blakeman in his individual capacity. This definition expressly excludes Brant Blakeman as an alleged member of what plaintiff alleges are the "Lunada Bay Boys." This definition expressly excludes the actions or omissions of any other PERSON other than Brant Blakeman in his individual capacity. This definition expressly excludes acts of PERSONS other than Brant Blakeman that plaintiff attributes to Brant Blakeman under a theory of Civil Conspiracy.

Therefore, it should be rather clear that the discovery at issue is limited to the named plaintiff's claims against Mr. Blakeman and Mr. Blakeman's individual actions.

The Discovery Responses Were Untimely

The discovery was served by personal service on Mr. Otten and on your office by mail on September 16, 2016. Per agreement the responses were due based on service by mail. Responses are generally due within 30 days. (See FRCP Rule 33(b)(2) and Rule 34(b)(2)(A).) Where written discovery is served by mail the time to respond is extended by 3 days. (See FRCP Rule 6(d).) 33 days from September 16, 2016 is October 19, 2016.

The responses were not served until October 20, 2016, as indicated on the proofs of service. The responses were therefore not timely. *The objections were also therefore waived regarding the interrogatories.* (See FRCP 33(b)(4).)

Notably at no time after the discovery was propounded did you or any other of the plaintiffs' counsels seek an extension. Neither was there any protest as to the nature of this discovery or it being objectionable. Instead plaintiffs choose the path of non-disclosure and delay again.

We have previously expressed our desire to avoid gamesmanship and delays in discovery. The Court set a very short time frame for discovery to occur and plaintiffs were unwilling to phase discovery. In the event an extension is needed for any future please inform

September 2, 2016

Page 3

us, but please do not continue to delay discovery as a tactic to avoid disclosure of information and prejudice Mr. Blakeman's defense.

Plaintiffs' Responses to Interrogatories

As the objections to the interrogatories were waived we expect that further responses will be provided without delay. Our experience with plaintiffs thus far unfortunately lead us to believe this will not occur and we anticipate you will not agree to provide further responses. Therefore the substance of the objections will be addressed.

Defendant Brant Blakeman has propounded the same twelve interrogatories to each plaintiff. The requests seek the identity of witness(es) that support(s) plaintiffs' contentions against Mr. Blakeman regarding the twelve areas of inquiries identified previously and also to identify the facts believed to be within each witness's knowledge.

Each plaintiff offers the same uniform boilerplate objections to every interrogatory seeking the disclosure of witnesses and identification of facts within that witness's knowledge.¹ These objections were not timely made as noted above. *Each plaintiff contends that based on the objections no answers to the requests will be provided.* As no answers were provided a further response is necessitated.

Below I address each objection to the interrogatories, our position why the objection is not applicable. Again, please note each and every objection was waived by the untimely responses of your clients. The following substantive discussion merely amplifies the discovery abuse reflected in Plaintiffs' responses and demonstrates why full and complete responses are required.

Plaintiffs' Objection: Undue Burden, Harassment, and Duplication

Each plaintiff contends that identifying the witnesses to the claims against Mr. Blakeman is unduly burdensome and harassing and the information can be found in the initial and supplemental disclosures.

Plaintiffs in their initial disclosure identify potentially one witness with knowledge of Mr. Blakeman. This is Ken Claypool. If this is the only witness that plaintiffs are aware of for the 12 areas of inquiry in the interrogatories then it surely is not very burdensome to identify him and the facts believed to be within his knowledge as they relate to the specific inquiry. Surely if there are other witnesses that allege Mr. Blakeman did some act they can also be identified.

This objection by any plaintiff is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

¹ Plaintiff Cory Spencer includes in his responses that he additionally was deposed.

September 2, 2016
Page 4

Plaintiffs' Objection: The Interrogatory is Compound and has Subparts

Plaintiffs contend the interrogatories are designed to circumvent the numerical limitations provided in FRCP Rule 33(a)(1). The objection wholly lacks merit.

The interrogatory seeks the identification of a witness and the facts within that witness's knowledge. FRCP Rule 33 allows the interrogatories to include "discrete subparts." Seeking the identification of witnesses and the facts within their knowledge are considered one interrogatory. (See *Chapman v. California Dept. of Educ.*, 2002 WL 32854376, at *1 (N.D.Cal.,2002).)

Furthermore, even was one to entertain plaintiffs' contention that the interrogatories did not contain discrete subparts *there are only two subparts*. If you take 12 interrogatories and multiply them by 2 this comes out to 24 interrogatories. This is within the limits of FRCP Rule 33 which allows for 25 interrogatories.

This objection by plaintiff is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

Plaintiffs' Objection: The Interrogatory Seeks Information that is Outside of Responding Party's Knowledge

Each plaintiff alleges that the request seeks information outside of the plaintiffs' knowledge. This objection either wholly lacks merit or there are very troubling issues related to the plaintiffs' and counsel's obligations under FRCP Rule 11's deemed verification requirements.

Viewing the untimely discovery non-responses objectively, each plaintiff makes specific and egregious allegations all without any personal knowledge of witnesses who will support the allegations (including the plaintiffs' themselves). This is tantamount to plaintiffs openly admitting this is a fishing expedition against Mr. Blakeman and they were in violation of Rule 11 since the complaint was filed. As to the assault and battery allegations against Mr. Blakeman, were they made without probable cause or any factual basis? If so please just state that and dismiss the action as to Mr. Blakeman.

If plaintiffs do not have knowledge the identity of witnesses that support their allegations they merely need to state there are none. Otherwise the witnesses should be identified.

This objection by plaintiff is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

Plaintiffs' Objection: The Interrogatory Invades the Attorney Client Privilege and Attorney Work Product Doctrine.

Plaintiffs object that identifying witnesses and the facts within that witness's knowledge that support Plaintiffs' allegations that Mr. Blakeman acted in some manner invades the attorney client privilege.

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There is no legal support for withholding witnesses identities based on the attorney client privilege. Personal knowledge about facts is not privileged. “[T]he protection of the privilege extends only to *communications* and not to facts. A fact is one thing and a communication concerning that fact is an entirely different thing. (*Upjohn Co. v. U.S.*, 101 S.Ct. 677, 685–86, 449 U.S. 383, 395–96 (U.S.Mich.,1981).)

If all responses to the discovery are privileged, and Plaintiffs’ stand on the privilege, none of the facts, witnesses or documents supporting Plaintiffs’ allegations will be admissible. If that is the Plaintiffs’ position, please dismiss the action as to Mr. Blakeman now in the interest of judicial economy.

Otherwise, since the only facts sought are witness identity as to specific issues and the believed factual information the witness possess, please provide full answers. This objection by plaintiffs is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

Plaintiffs’ Objection: the Interrogatory is Premature as a Contention Interrogatory

Each plaintiff alleges the interrogatories are contention interrogatories and due to the early state of litigation and pre-trial discovery the responding party is unable to provide a complete response, nor it is required to do so. Plaintiffs’ cite to *Kmeic v. Powerwave Techs. Inc.*, *Folz v. Union Pacific Company*, and FRCP Rule 33(a)(2).

While in some contexts contention interrogatories can be delayed, these interrogatories do not fit that context and therefore should be answered. This matter involved plaintiffs in their individual capacities, as well as representative capacities, alleging intentional torts, nuisances, and negligence against Mr. Blakeman, and the questions asked relate to the basis for Plaintiffs’ allegations. Surely there were personally known bases for these specific allegations. If not, please dismiss the action as to Mr. Blakeman.

Kmeic was a securities litigation matter. *Kmeic* involved asking contention interrogatories to a shareholder plaintiff early in litigation is very different from in this case. *Folz* related to defendant’s contentions related to defendant’s affirmative defenses, something that clearly would involve significant discovery to develop and is much different than this case.

It should be noted that these interrogatories are specific type of contention interrogatory. They seek the identification of witnesses that support plaintiffs’ contentions that Mr. Blakeman committed some specific act alleged act *stated in the complaint filed by Plaintiffs*. The factual answers will allow Mr. Blakeman to depose such persons and to have a “just, speedy, and inexpensive determination [in this] action.” (FRCP Rule 1.) If there are no facts, witnesses or documents, the complaint’s allegations are baseless and the complaint should never have been filed. Please answer fully or dismiss the action as to Mr. Blakeman.

The identification of witnesses is important not only to Mr. Blakeman’s defense but also because they would contribute meaningfully to narrow the scope of the issues in dispute, set up early settlement discussions, and expose the potential bases for a Rule 11 motion and Rule 56 motion. (See *HTC Corp. v. Technology Properties Ltd.*, 2011 WL 97787, at *2 (N.D.Cal.,2011); *In re Convergent Technologies Securities Litigation*, 108 F.R.D. 328, 338-339 (D.C.Cal.,1985).

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As you are aware we have continually informed you that Mr. Blakeman intends to pursue motions under Rule 56 related to plaintiffs baseless allegations made against him.

Furthermore, even in *In re Convergent Technologies Securities Litigation* the Court recognized the importance of the identification of witnesses. (See *In re Convergent Technologies Securities Litigation*, 103 F.R.D. at 332-333). Despite the case being a complex securities litigation matter the Court still compelled the plaintiffs to respond to “contention” interrogatories seeking the identities of witness. (See *In re Convergent Technologies Securities Litigation*, 108 F.R.D. at 340-341.) The interrogatories in question here really are no different.

This objection by plaintiff is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

Plaintiff's Response to Request for Production of Documents

The production requests seeks the documents that support plaintiffs contentions regarding the same 12 areas of inquiry identified previously. The requests specifically only relate to Mr. Blakeman just like the interrogatories.

No Documents Have Been Produced Despite Plaintiffs Asserting They Will Produce Them

Each plaintiff indicates after objections as to Requests Numbers 1, 2, 3, 4, 5, 7, 8, and 9 that documents will be produced. Documents were to be produced in 30 days as made in the request. (See FRCP Rule 34(b)(2)(B).) **NO DOCUMENTS WERE PRODUCED.**

There is no excuse for delaying producing this information other to prejudice Mr. Blakeman’s defenses. This is particularly egregious in that you are aware that Mr. Blakeman has a scheduled deposition upcoming. Yet plaintiffs seek to sand bag him.

The objections plaintiffs have asserted are also largely without merit and it is unknown if any information is being withheld based on the objections. If responsive material is being withheld the objection must so state. (See FRCP Rule 34(b)(2)(C).) The response must also specify the part of the request being objected to. (See id.) No such indication is made by the plaintiffs.

Please confirm whether any responsive information is being withheld and if any objection is being made to only part of the request as opposed the entire request.

Additionally, the objections lack merit. Each of the boilerplate objections asserted in response to every request by each plaintiff is addressed below.

Plaintiffs’ Objection: The Production Request is Premature as Seeking Information Related to Contentions

Plaintiff objects that producing the information supporting its contentions is premature on the same basis as it relates to contentions. They again cite to *Kmeic* and *Folz*. Neither case though addresses “contention” production requests.

September 2, 2016

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In fact the Court in *In re Convergent Technologies Securities Litigation* expressly noted that the analysis to be applied to when contention interrogatories needed be answered does not apply to production requests. (*In re Convergent Technologies Securities Litigation*, 108 F.R.D. at 333 “Nor do the generalizations articulated here apply to Rule 34 requests for documents that bear on material factual allegations.”)

The requests at issue here bear on material factual allegations each plaintiff has made against Mr. Blakeman. Material facts are discoverable at the outset of litigation and these facts are not ones that would be in the exclusive control of any defendant.

Plaintiffs have had an opportunity through informal requests from the City of Palos Verdes and in discovery in this litigation to obtain thousands of police records. Plaintiffs have identified hundreds of witnesses that purportedly support their case. Plaintiffs have identified various documents in initial disclosures.

These requests only seek documents that pertain to the material allegations made against Mr. Blakeman. We are unable to identify or find a single document produced in discovery to date that indicates Mr. Blakeman ever did anything to support plaintiffs’ claims against him. That is why the request for production asks for such documents. If (as is apparently the case) there are none your clients are required to so state.

During the deposition of Ms. Reed we learned that plaintiffs have withheld recordings made surreptitiously and not disclosed in its initial disclosures, despite being in existence and in plaintiffs’ possession. We unfortunately anticipate that this sort of shirking of the plaintiffs’ duty to disclose information will continue.

The objection wholly lacks merit and should be removed.

Plaintiffs’ Objection: the Request Fails to Identify with Reasonable Particularity the Item to be Inspected

The request is rather particular. It seeks documents and those that support a specific allegation. Who better to determine what these documents are than the plaintiffs as plaintiffs are the ones making the allegations.

This objection wholly lacks merit and should be removed.

The Request invades the Attorney Client Privilege and Attorney Work Product Doctrine.

These requests seek documents that support plaintiffs’ material allegations made against Mr. Blakeman. They do not seek communication with plaintiffs’ counsels. They do not seek information that is work product. If plaintiffs intend to use documents offensively against Mr. Blakeman they cannot withhold such under the cloak of a privilege.

If there is some concern that some document that would be privileged would be at issue for any of the requests related to the material allegations then please inform us why you have such a belief.

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* * *

We anticipate that motions to compel further responses and the production of documents will be required. *As stated previously we will not be producing Mr. Blakeman for deposition until this dispute is resolved.* We will not entertain any delays nor allow plaintiffs to drag this process out as they did with amending their initial disclosures. Please do not delay in providing me your availability for a Rule 37-1 meeting to occur within 10 days of this letter as we will be promptly filling a motion on these issues if necessary and without delay.

Lastly, we desire to depose Mr. Claypool. It is our understanding that his information has been withheld on the basis that you represent him. Please inform us if you will produce him for deposition before Thanksgiving, 2016. If you do not represent Mr. Claypool then please amend the initial disclosures without delay and provide us his contact information.

Very truly yours,
VEATCH CARLSON


RICHARD P. DIEFFENBACH
JOHN P. WORGUL

JPW:

cc: RTM; Robert Cooper

EXHIBIT 12

John Worgul

From: Victor Otten [vic@ottenlawpc.com]
Sent: Tuesday, November 01, 2016 7:11 PM
To: Richard P. Dieffenbach; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey; prossin@veatchfirm.com; John Worgul; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com; amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com; antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com; christopher.glos@kutakrock.com; fields@MARKFIELDSLAW.COM; Cooper, Robert S.; Rob Mackey

Subject: RE: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

Dear Mr. Dieffenbach:

Again, we've in receipt of another Friday meet-and-confer email from your office. This time, your letter was emailed to me during last Friday's deposition of co-defendant Angelo Ferrara -- a deposition that I was taking. In your letter, you stake out the position that because of an unrelated discovery dispute: "PLEASE NOTE THAT DUE TO THIS DISCOVERY DISPUTE MR. BLAKEMAN WILL NOT BE PRODUCED FOR DEPOSITION UNTIL THIS DISPUTE HAS BEEN RESOLVED." There is no agreement to reschedule Mr. Blakeman's deposition, and such unilateral rescheduling is not permitted under the federal rules and is otherwise improper.

We are accommodating to reasonable requests. A family, medical or other emergency might be a reason to accommodate rescheduling a deposition – but no such fact exist here. Instead, you attempt to unilaterally cancel a deposition because you're unhappy with well-founded (and entirely unrelated) objections to your client's inappropriate discovery. Indeed, as you well know, a lawyer has no authority unilaterally to cancel a deposition that is reasonably noticed in writing pursuant to Fed.R.Civ.P. 30(b)(1), which is a step only the Court is empowered to take. Where a party "fails, after being served with proper notice, to appear for that person's deposition," the Federal Rules of Civil Procedure provide that the Court must, at a minimum, require the cancelling party (and/or its counsel) to "pay the reasonable expenses, including attorney's fees, caused by the failure, unless the failure was substantially justified or other circumstances make an award of expenses unjust." Fed. R. Civ. Proc. 37(d)(1)(A).

In sum, after coordinating dates with the numerous co-defendants and both your office and Mr. Blakeman's Cumis-counsel law firm, this deposition has already be re-scheduled once at your office's insistence. Thus, because it has been properly notice and there is no legitimate reason for cancelling it, we expect Mr. Blakeman to attend his deposition next week as scheduled on November 10. Please be apprised that we have ordered a court reporter and videographer for next week's deposition, and are making appropriate travel arrangements. If Mr. Blakeman fails to appear without the necessary relief of the Court, we will seek all appropriate remedies.

Finally, because I'm in trial, I'm not available to meet on the ancillary meet-and-confer request on Plaintiffs' responses to Mr. Blakeman's deficient written discovery requests. I should be able to meet with you on this next week – perhaps we could meet after Mr. Blakeman's deposition. Before then, I'll provide you a written response.

Sincerely,

Vic Otten

From: Richard P. Dieffenbach [mailto:RDieffenbach@veatchfirm.com]
Sent: Friday, October 28, 2016 3:38 PM
To: Victor Otten <vic@ottenlawpc.com>; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan <kavita@ottenlawpc.com>; kfranklin@hansonbridgett.com;
SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com;
edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com;
dmcrowley@boothmitchel.com; Rob Mackey <RMackey@veatchfirm.com>; prossin@veatchfirm.com; John
Worgul <JWorgul@veatchfirm.com>; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com;
amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com;
antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com;
christopher.glos@kutakrock.com; fields@MARKFIELDSLAW.COM; Cooper, Robert S. <rcooper@buchalter.com>;
Rob Mackey <RMackey@veatchfirm.com>
Subject: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

Dear Counsel

Please see attached letter. We have availability in our office for the face to face meeting October 31, November 1 or 2 (afternoon), or November 3 or 4.

Richard P. Dieffenbach, Esq.

Veatch Carlson, LLP
1055 Wilshire Blvd., 11th Floor
Los Angeles, CA 90017
(213) 381-2861 Office
(213) 383-6370 Fax
rdieffenbach@veatchfirm.com

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EXHIBIT 13

John Worgul

From: Richard P. Dieffenbach
Sent: Monday, November 07, 2016 5:02 PM
To: Victor Otten; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey; prossin@veatchfirm.com; John Worgul; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com; amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com; antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com; christopher.glos@kutakrock.com; fields@MARKFIELDLAW.COM; Cooper, Robert S.; Rob Mackey
Subject: RE: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;
Attachments: Spencer v2 .pdf
Messrs. Otten and Franklin

In the absence of your promised written response (or any other further communications) I am sending the attached letter. We did get an email late Friday with some documents although it looks like those were the documents which were supposed to be produced with the Plaintiff's initial disclosures, and they are not identified as responsive to the Document Requests of Mr. Blakeman served September 16.

The Blakeman deposition will not go forward November 10 because full and complete discovery responses were not provided, it is two days prior to the deposition, and there is no indication of when or if they will be provided. Once those responses are provided to us the deposition can be rescheduled. Thanks. Please see attached.

Richard P. Dieffenbach
Veatch Carlson LLP

From: Victor Otten [mailto:vic@ottenlawpc.com]
Sent: Tuesday, November 01, 2016 7:11 PM
To: Richard P. Dieffenbach; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey; prossin@veatchfirm.com; John Worgul; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com; amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com; antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com; christopher.glos@kutakrock.com; fields@MARKFIELDLAW.COM; Cooper, Robert S.; Rob Mackey
Subject: RE: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

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cancel a deposition because you're unhappy with well-founded (and entirely unrelated) objections to your client's inappropriate discovery. Indeed, as you well know, a lawyer has no authority unilaterally to cancel a deposition that is reasonably noticed in writing pursuant to Fed.R.Civ.P. 30(b)(1), which is a step only the Court is empowered to take. Where a party "fails, after being served with proper notice, to appear for that person's deposition," the Federal Rules of Civil Procedure provide that the Court must, at a minimum, require the cancelling party (and/or its counsel) to "pay the reasonable expenses, including attorney's fees, caused by the failure, unless the failure was substantially justified or other circumstances make an award of expenses unjust." Fed. R. Civ. Proc. 37(d)(1)(A).

In sum, after coordinating dates with the numerous co-defendants and both your office and Mr. Blakeman's Cumis-counsel law firm, this deposition has already been re-scheduled once at your office's insistence. Thus, because it has been properly noticed and there is no legitimate reason for cancelling it, we expect Mr. Blakeman to attend his deposition next week as scheduled on November 10. Please be apprised that we have ordered a court reporter and videographer for next week's deposition, and are making appropriate travel arrangements. If Mr. Blakeman fails to appear without the necessary relief of the Court, we will seek all appropriate remedies.

Finally, because I'm in trial, I'm not available to meet on the ancillary meet-and-confer request on Plaintiffs' responses to Mr. Blakeman's deficient written discovery requests. I should be able to meet with you on this next week – perhaps we could meet after Mr. Blakeman's deposition. Before then, I'll provide you a written response.

Sincerely,

Vic Otten

From: Richard P. Dieffenbach [mailto:RDieffenbach@veatchfirm.com]
Sent: Friday, October 28, 2016 3:38 PM
To: Victor Otten <vic@ottenlawpc.com>; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan <kavita@ottenlawpc.com>; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey <RMackey@veatchfirm.com>; prossin@veatchfirm.com; John Worgul <JWorgul@veatchfirm.com>; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com; amiller@thephilipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com; antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com; christopher.glos@kutakrock.com; fields@MARKFIELDSLAW.COM; Cooper, Robert S. <rcooper@buchalter.com>; Rob Mackey <RMackey@veatchfirm.com>
Subject: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

Dear Counsel

Please see attached letter. We have availability in our office for the face to face meeting October 31, November 1 or 2 (afternoon), or November 3 or 4.

Richard P. Dieffenbach, Esq.

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VEATCH C_ARLSON, LLP

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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Telephone (213) 381-2861 Facsimile (213) 383-6370

November 7, 2016

SENT VIA FACSIMILE AND EMAIL

Kurt A. Franklin, Esq.
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Victor Otten, Esq.
Kavita Tekchandani, Esq.
OTTEN LAW, PC
3620 Pacific Coast Hwy, #100
Torrance, CA 90505
Facsimile: (310) 347-4225

Re: **SPENCER, CORY v. LUNADA BAY BOYS**

Date of Loss : 04/14/16
Our File No. : 010-08018.

Dear Mr. Franklin and Mr. Otten:

Please note this is the FOURTH meet and confer letter we have been forced to send to your offices in this matter since September 2, 2016.

We respond to Mr. Otten's email notifying us that Plaintiffs' counsel will not meet and confer within the time required by Local Rule 37-1 regarding the Plaintiffs' untimely and improper discovery responses. This refusal is coupled with the demand that Plaintiffs insist on using their sandbagging technique to frustrate preparation of Mr. Blakeman for his deposition noticed for November 10 by withholding substantive responses to specific questions relating to the allegations made against Mr. Blakeman.

The ongoing Plaintiff-induced delay of discovery in this case borders on vexatious conduct and we will seek court intervention to stay the deposition until Plaintiffs have provided their responses to Mr. Blakeman's discovery so that Mr. Blakeman can be made aware of any factual basis for Plaintiffs' allegations against, him as requested in the discovery.

There has been a significant history in this otherwise young case of Plaintiffs stalling to delay the disclosure of information and thereby shirking their obligations under Rule 26(a) and (e). When we first addressed Plaintiffs' discovery shortcomings in our discussion of the inadequate initial disclosures we hoped to avoid the type of discovery abuse we now encounter

September 2, 2016

Page 2

(See meet and confer letters of September 2 and September 9, 2016). We sent the written discovery to Plaintiffs' counsel September 16, 2016, timed to allow our receipt of responses before the Reed deposition of October 24 so that we would have the responses in time for that deposition. Mr. Otten advised there was an issue with the personal service on his office; the mail service on all other counsel including Hansen Bridgett was agreed to be the date from which responses should be calculated. That would have meant responses were due October 19; the responses, which were only objections, were instead served untimely and by mail from San Francisco on October 20. My office received them October 25 after Ms. Reed's deposition had ended (not that the untimely objections without factual response, and refusal to respond, would have been of any value anyway). We sent the third meet and confer letter outlining the problems with the discovery responses to you by email October 28, 2016. Mr. Otten's responsive email of November 1 amplifies the intentional non-compliance Plaintiffs persist in practicing.

Examples of the ongoing and improper tactical delays and "hide-the-ball" gamesmanship employed by Plaintiffs to date abound. They include:

- Initial disclosures which were inadequate and required an extensive meet and confer letter to obtain disclosures which should have been made, including witness identification and document;
- Plaintiffs' counsel's delay in providing the promised Supplemental Disclosures, promised by September 23, 2016 but not served until October 2, 2016;
- Supplemental disclosures which failed to identify documents in Plaintiffs' custody which were then sprung on Defense counsel only at Plaintiff Cory Spencer's or Plaintiff Diana Milena Reed's deposition (*Cf.* Plaintiffs' supplemental disclosures and see exhibits to depositions of Spencer and Reed);
- Untimely Responses to Mr. Blakeman's written discovery, served late and by mail from Plaintiffs' counsel's San Francisco attorneys' offices in order to frustrate their use at the deposition of Ms. Reed (See Blakeman's Interrogatories and Requests for Production to Plaintiffs served by Mail September 16, 2016, and Plaintiffs' untimely, objection-only responses served by mail from San Francisco October 20, 2016, and the Notice of Ms. Reed's deposition setting the deposition for October 24, 2016);
- Improper objections, which had been waived by the untimeliness of the responses, to Mr. Blakeman's written discovery, which discovery merely sought the specific facts, witnesses and documents Plaintiffs have to support the allegations made in the complaint (see interrogatories and Plaintiffs' untimely objection-only responses);
- Testimony at the depositions of the two named class representative individuals (Spencer and Reed) indicating neither has any factual basis for any of the allegations against Mr. Blakeman;
- A refusal to comply with the Central District's Local Rule 37-1 after receiving our October 28, 2016 meet and confer letter, despite five separate days being offered by my office as suitable for such a meeting (See email of November 1, 2016 from Plaintiffs' counsel Otten);
- Setting up the timing of this dispute to frustrate our ability to protect Mr. Blakeman and to try to game the local rules regarding discovery motions as a means of forcing the deposition before the matter can be heard by noticed motion (See notice of deposition of Brant Blakeman for November 10, 2016);

September 2, 2016

Page 3

- Failing to respond substantively to any of the substantive issues presented in the October 28 meet and confer letter (See email of November 1, 2016 from Plaintiffs' counsel Otten).

It has also become apparent during the parties' depositions that have been taken thus far that Plaintiffs' counsel is failing to supplement initial disclosures and is intentionally withholding pertinent information pertaining to the substance of alleged predicate acts which Plaintiffs intend to assert as part of their case-in-chief against the defendants' individually and as a purported "criminal gang." This alleged evidence of predicate acts includes conduct alleged against our client Mr. Blakeman, is clearly related to Plaintiffs' case in chief, and would not qualify as impeachment. Weak and irrelevant as the evidence is, such as a claim that Mr. Blakeman years ago got in a fight with Bill Kaemerle, another surfer from the area, you have a duty to disclose any and all witnesses and documents that you believe support your case. Thus far, it is clear you will attempt to sandbag every defendant by abusing the discovery and disclosure rules. We are seeking court intervention to prevent you from continuing to do so.

We had hoped that at some point Plaintiffs counsel would recognize that these claims require evidence, and the filing of this action requires honest and actual compliance with discovery. We note that Plaintiffs' intransigence leaves us no alternative but to seek court intervention to prevent any further effort to prejudice Mr. Blakeman or his defense in this case.

We will ask the Magistrate Judge *ex parte* to stay the deposition of Mr. Blakeman until such time as Plaintiffs provide the full and complete answers to the written discovery served by Mr. Blakeman October 16, 2016, and for an order that any documents not disclosed either in response to that discovery or in the initial or supplemental disclosures by Plaintiffs be excluded for the action and excluded specifically from any evidence presented as to Mr. Blakeman.

Alternatively we will ask the magistrate Judge to stay all non-class certification related discovery until such time as a class is certified, if ever, since if certification is denied your clients' claims will be individual in nature and (based on their deposition testimony) will have nothing to do with any actionable claims by your clients against Mr. Blakeman. We will request that the Magistrate order monetary sanctions against Plaintiffs and their counsel for the cost of these delays and the cost of bringing this motion for a protective order.

We provided thirteen days notice that Mr. Blakeman would not be produced pending resolution of this dispute. That is more than enough time to cancel any travel or reporter or videographer plans without incurring a penalty, so you should act to cancel those services or not at your own expense.

Lastly, please reconsider plaintiff's position that they will not comply with the meet and confer requirements of Local Rule 37-1. We can not file a motion until the ten day time

September 2, 2016

Page 4

frame has expired to afford plaintiffs the opportunity to change their position and to comply with the local rule. We have limited availability; therefore if there is a change in plaintiffs' position, please notify us without delay.

Very truly yours,
VEATCH CARLSON


RICHARD P. DIEFFENBACH

cc: RTM; JPW; Robert Cooper

EXHIBIT 14

John Worgul

From: Victor Otten [vic@ottenlawpc.com]
Sent: Monday, November 07, 2016 5:54 PM
To: Richard P. Dieffenbach; John Worgul
Cc: kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; Kavita Tekchandan
Subject: RE: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;
Attachments: Dief.11.7.16.pdf

From: Richard P. Dieffenbach [mailto:RDieffenbach@veatchfirm.com]
Sent: Monday, November 7, 2016 5:02 PM
To: Victor Otten <vic@ottenlawpc.com>; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan <kavita@ottenlawpc.com>; kfranklin@hansonbridgett.com;
SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com;
edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com;
dmcrowley@boothmitchel.com; Rob Mackey <RMackey@veatchfirm.com>; prossin@veatchfirm.com; John
Worgul <JWorgul@veatchfirm.com>; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com;
amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com;
antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com;
christopher.glos@kutakrock.com; fields@MARKFIELDLAW.COM; Cooper, Robert S. <rcooper@buchalter.com>;
Rob Mackey <RMackey@veatchfirm.com>
Subject: RE: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

Messrs. Otten and Franklin

In the absence of your promised written response (or any other further communications) I am sending the attached letter. We did get an email late Friday with some documents although it looks like those were the documents which were supposed to be produced with the Plaintiff's initial disclosures, and they are not identified as responsive to the Document Requests of Mr. Blakeman served September 16.

The Blakeman deposition will not go forward November 10 because full and complete discovery responses were not provided, it is two days prior to the deposition, and there is no indication of when or if they will be provided. Once those responses are provided to us the deposition can be rescheduled. Thanks. Please see attached.

Richard P. Dieffenbach
Veatch Carlson LLP

From: Victor Otten [mailto:vic@ottenlawpc.com]
Sent: Tuesday, November 01, 2016 7:11 PM
To: Richard P. Dieffenbach; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com;
TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com;
eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey;
prossin@veatchfirm.com; John Worgul; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com;
amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com;
antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com;
christopher.glos@kutakrock.com; fields@MARKFIELDLAW.COM; Cooper, Robert S.; Rob Mackey
Subject: RE: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

Dear Mr. Dieffenbach:

Again, we've in receipt of another Friday meet-and-confer email from your office. This time, your letter was emailed to me during last Friday's deposition of co-defendant Angelo Ferrara -- a deposition that I was taking. In your letter, you stake out the position that because of an unrelated discovery dispute: "PLEASE NOTE THAT DUE TO THIS DISCOVERY DISPUTE MR. BLAKEMAN WILL NOT BE PRODUCED FOR DEPOSITION UNTIL THIS DISPUTE HAS BEEN RESOLVED." There is no agreement to reschedule Mr. Blakeman's deposition, and such unilateral rescheduling is not permitted under the federal rules and is otherwise improper.

We are accommodating to reasonable requests. A family, medical or other emergency might be a reason to accommodate rescheduling a deposition – but no such fact exist here. Instead, you attempt to unilaterally cancel a deposition because you're unhappy with well-founded (and entirely unrelated) objections to your client's inappropriate discovery. Indeed, as you well know, a lawyer has no authority unilaterally to cancel a deposition that is reasonably noticed in writing pursuant to Fed.R.Civ.P. 30(b)(1), which is a step only the Court is empowered to take. Where a party "fails, after being served with proper notice, to appear for that person's deposition," the Federal Rules of Civil Procedure provide that the Court must, at a minimum, require the cancelling party (and/or its counsel) to "pay the reasonable expenses, including attorney's fees, caused by the failure, unless the failure was substantially justified or other circumstances make an award of expenses unjust." Fed. R. Civ. Proc. 37(d)(1)(A).

In sum, after coordinating dates with the numerous co-defendants and both your office and Mr. Blakeman's Cumis-counsel law firm, this deposition has already be re-scheduled once at your office's insistence. Thus, because it has been properly notice and there is no legitimate reason for cancelling it, we expect Mr. Blakeman to attend his deposition next week as scheduled on November 10. Please be apprised that we have ordered a court reporter and videographer for next week's deposition, and are making appropriate travel arrangements. If Mr. Blakeman fails to appear without the necessary relief of the Court, we will seek all appropriate remedies.

Finally, because I'm in trial, I'm not available to meet on the ancillary meet-and-confer request on Plaintiffs' responses to Mr. Blakeman's deficient written discovery requests. I should be able to meet with you on this next week – perhaps we could meet after Mr. Blakeman's deposition. Before then, I'll provide you a written response.

Sincerely,

Vic Otten

From: Richard P. Dieffenbach [mailto:RDieffenbach@veatchfirm.com]
Sent: Friday, October 28, 2016 3:38 PM
To: Victor Otten <vic@ottenlawpc.com>; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan <kavita@ottenlawpc.com>; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey <RMackey@veatchfirm.com>; prossin@veatchfirm.com; John Worgul <JWorgul@veatchfirm.com>; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com; amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com; antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com; christopher.glos@kutakrock.com; fields@MARKFIELDSLAW.COM; Cooper, Robert S. <rcooper@buchalter.com>; Rob Mackey <RMackey@veatchfirm.com>
Subject: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

Dear Counsel

Please see attached letter. We have availability in our office for the face to face meeting October 31, November 1 or 2 (afternoon), or November 3 or 4.

Richard P. Dieffenbach, Esq.

Veatch Carlson, LLP
1055 Wilshire Blvd., 11th Floor
Los Angeles, CA 90017
(213) 381-2861 Office
(213) 383-6370 Fax
rdieffenbach@veatchfirm.com

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OTTEN LAW, PC
ATTORNEYS

November 7, 2016

VIA E-MAIL AND U.S. MAIL

Richard P. Dieffenbach
John P. Worgul
Veatch Carlson, LLP
1055 Wilshire Boulevard, 11th Floor
Los Angeles, CA 90017-2444

Re: Spencer, et al. v. Lunada Bay Boys, et al.

Dear Mr. Dieffenbach:

I write in response to the letter you sent on Friday, October 28, 2016, at 4:30 PM regarding Plaintiffs Cory Spencer, Diana Milena Reed, and the Coastal Protection Rangers' ("Plaintiffs") responses to Defendant Brant Blakeman's ("Blakeman") first set of Interrogatories and Requests for Production of Documents. As you are aware, I have been in trial and have not had an opportunity to respond substantively to your letter until now.

November 10, 2016 Deposition of Blakeman.

To reiterate my November 1, 2016 email to you, the deposition of Blakeman is going forward on Thursday, November 10, 2016. You have no basis to unilaterally cancel the reasonably noticed deposition of your client. Your refusal to produce Blakeman for deposition will result in sanctions, even absent a court order. Fed. R. Civ. Proc. 37(d)(1)(A)(i).

Discovery Responses Were, In Fact, Timely.

Blakeman served Plaintiffs with discovery requests on September 16, 2016, by mail and attempted personal service on that same date. As you know, Blakeman and Plaintiffs agreed that Plaintiffs' responses and objections would be due based on service by mail because of certain errors in the personal service.¹

¹ If you recall, your office failed to personally serve the documents on 9-16-16 despite what is stated in the proof of service. The attorney down hall from my office found the discovery documents sitting on the ground outside the back entrance to our building on 9-17-16.

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Veatch Carlson, LLP
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As you may know, Fed. R. Civ. Proc. 6(d) was amended on December 1, 2005, and again on December 1, 2007, and now reads as follows: "When a party may or must act within a specified time after being served and service is made under Rule 5(b)(2)(C) (mail), (D) (leaving with the clerk), or (F) (other means consented to), 3 days are added after the period would otherwise expire under Rule 6(a)." (Emphasis added.)

Pursuant to the computation set forth in Fed. R. Civ. Proc. 6(a) and 6(d), Plaintiffs' responses and objections were due on October 20, 2016. Thirty days after September 16, 2016 was Sunday, October 16, 2016. Fed. R. Civ. Proc. 6(a) states that "if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." The next day following Sunday, October 16, 2016, was Monday, October 17, 2016. Per Fed. R. Civ. Proc. 6(d), we extend the October 17, 2016, deadline prescribed by Fed. R. Civ. Proc. 6(a) by three days to account for the service by mail: October 20, 2016. Plaintiffs' discovery responses and objections were timely served on October 20, 2016. Therefore, Plaintiffs did not waive their objections, and their responses were effective.

Plaintiffs' Proper Objections and Responses to Interrogatories.

Plaintiffs' objections and responses to Blakeman's interrogatories were proper and therefore do not require supplementation.

As an initial matter, you repeatedly assert that Plaintiffs' objections should be removed. Your demand that Plaintiffs remove objections from their discovery responses is baseless and lacks legal authority. Plaintiffs will not amend their responses to remove objections unless you can supply legal authority for this obligation.

Unduly Burdensome, Harassing, and Duplicative.

Plaintiffs objected to Blakeman's request to identify witnesses to the claims against Blakeman on the grounds that it already disclosed the names of potential witnesses in their initial and supplemental disclosures. Specifically, Plaintiffs listed 105 witnesses in its October 2, 2016 supplemental disclosures, a number of whom may have witnessed the claims against Blakeman. Your client already has this information in his possession. Therefore, it would be unduly burdensome, harassing, and duplicative for Plaintiffs to be compelled to identify these witnesses again.

Compound.

Plaintiffs objected to Blakeman's requests to identify persons with knowledge of facts supporting their contentions **and** facts within each person's knowledge on the basis that they are compound. Fed. R. Civ. Proc. 33(a)(1) limits a party to 25 interrogatories propounded on any other party, including all discrete subparts.

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Courts have consistently concluded that an interrogatory that asks a party to identify facts, documents, and witnesses should count as separate interrogatories. See e.g., *Makaeff v. Trump Univ.*, LLC, 2014 WL 3490356, at *7 (S.D. Cal. July 11, 2014) (concluding the interrogatory “contains 3 discrete subparts [for facts, documents, and witnesses,] and these subparts must be multiplied by the number of RFAs that were not unqualified admissions”); *Superior Commc'n v. Earhugger, Inc.*, 257 F.R.D. 215, 218 (C.D. Cal. 2009) (request for facts, persons, and documents constitutes three distinct interrogatories); *Hasan v. Johnson*, 2012 U.S. Dist. LEXIS 21578, 13-14 (E.D. Cal. Feb. 21, 2012) (same).

Here, each of Blakeman's interrogatories seeks witnesses and facts. Blakeman shall propound amended interrogatories that separate out the 2 subparts of each of the 12 interrogatories so that Blakeman propounds 24 total interrogatories on each Plaintiff. Until then, the interrogatories are compound and therefore improper.

Information Outside Plaintiff's Knowledge.

Plaintiffs adamantly deny your insinuation that they or their counsel have violated Fed. R. Civ. Proc. 11 regarding the identification of witnesses to support their allegations. To the contrary, Plaintiffs have identified in their October 2, 2016, supplemental disclosures 105 witnesses who may possess knowledge of the allegations.

Plaintiffs' objection that the interrogatories seek information outside their knowledge is an objection only to the extent that the information sought is outside Plaintiffs' knowledge. Although Plaintiffs neglected to include the words "to the extent that" preceding these written objections, that is the objection that Plaintiffs assert. We can amend our objections to include this wording, if you would like.

Attorney-Client Privilege and Attorney Work Product Doctrine.

Plaintiffs objected to the interrogatories to the extent that they invade the attorney-client privilege and/or the work product doctrine by compelling privileged communication and/or litigation strategy. These objections are worded such that either the attorney-client privilege or the attorney work product doctrine (or both) could protect the information from disclosure. The objections do not state that both privileges necessarily apply to each piece of information sought. Furthermore, Plaintiffs do not claim that all information sought is privileged, as evidenced by the inclusion of "to the extent that" preceding these objections. Rather, we have applied the work product doctrine to protect trial preparation materials that reveal attorney strategy, intended lines of proof, evaluations of strengths and weaknesses, and inferences drawn from interviews. Fed. R. Civ. Proc. 26(b)(3); *Hickman v. Taylor*, 329 U. S. 495, 511 (1947). We have applied the attorney-client privilege to protect our confidential communications with Plaintiffs. *United States v. Graf*, 610 F. 3d 1148, 1156 (9th Cir. 2010).

Moreover, we are well aware that evidence not exchanged in discovery is inadmissible at trial. Contrary to your contention that witness identities will be inadmissible, we have already

Richard P. Dieffenbach, Esq.
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disclosed the identities of potential witnesses in our initial and supplemental disclosures. Even at this early stage of discovery, there are more than 100 witnesses whose identities are admissible at trial.

Premature Contention Interrogatories.

Plaintiffs objected to Blakeman's interrogatories as premature because they seek or necessarily rely upon a contention. Fed. R. Civ. P. 33(a)(2); *Kmiec v. Powerwave Techs. Inc.*, et al., 2014 WL 11512195 (C.D. Cal Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2. Plaintiffs stand by this objection.

Contention interrogatories need not be answered until discovery is "substantially complete." See Fed. R. Civ. P. 33(a)(2). In *Kmiec*, the court held that discovery was not "substantially complete" when the discovery cutoff was 4 months away and depositions of fact witnesses or defendants had not yet occurred. The court opined that "[i]f Defendants had completed their document production, depositions were under way, and the discovery cutoff date was just a month or so away, Defendants might be entitled to the information they seek. But under the circumstances here, Defendants' interrogatories are premature." *Kmiec*, at *1 (emphasis added). Similarly, the *Folz* court found that discovery was not substantially complete and the responding party had adequate time to supplement his answers when the discovery cutoff was 8 months away. *Folz*, at *3. Even the case you cite, *HTC Corp. v. Tech. Properties Ltd.*, 2011 WL 97787 (N.D. Cal. Jan. 12, 2011), held that the responding party did not need to respond to contention interrogatories because discovery was "still in full-swing." *HTC Corp.*, at *3.

Here, the discovery cutoff is more than 9 months away, on August 7, 2017. None of the individual Defendants – your client included – have produced any documents, and Plaintiff Cory Spencer produced his first set of documents this past Friday, November 4, 2016. Additionally, the parties have only taken 4 out of the 20 possible depositions – Jeff Kepley, Cory Spencer, Diana Milena Reed, and Angelo Ferrara – all of which took place within the last month. Thus, it is clear that we are in the early stages of discovery. Discovery is far from being "substantially complete;" therefore, Plaintiffs need not respond to contention interrogatories. Regarding Blakeman's desire to know the names of witnesses, Plaintiffs have provided over 100 potential witnesses in its initial and supplemental disclosures. Blakeman is free to use that list of witnesses to pursue his defense strategy.

Pursuant to Fed. R. Civ. P. 26(e)(1)(A), Plaintiffs will supplement their discovery responses as additional facts become known.

Plaintiffs' Proper Objections and Responses to Requests for Production of Documents.

Since your October 28, 2016 meet and confer letter, Plaintiff Cory Spencer has produced over 2,000 pages of documents (see November 4, 2016 production, PLTF000001 – PLTF002029). We assume that this production addresses the portion of your meet and confer letter regarding

Richard P. Dieffenbach, Esq.
Veatch Carlson, LLP
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Page | 5

the Requests for Production of Documents but are willing to discuss any concerns you may have after your review of Plaintiffs' production.

Deposition of Ken Claypool.

We represent Ken Claypool. We will contact Mr. Claypool regarding his availability for deposition before Thanksgiving.

If you are still interested, I am available to meet with you in person this week to discuss remaining discovery issues, if any.

Very truly yours,
OTTEN LAW, PC
Victor Otten, Esq.

CC: Kavita Tekchandani
Kurt Franklin
Samantha Wolff

PROOF OF SERVICE

1
2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and
4 not a party to the within action; my business address is 1055 Wilshire Boulevard, 11th Floor, Los
Angeles, California 90017-2444.

5 On November 14, 2016, I served the foregoing document described as **DECLARATIONS OF**
6 **JOHN P. WORGUL, RICHARD P. DIEFFENBACH, AND PETER H. CROSSIN IN**
SUPPORT OF THE PARTIES JOINT STIPULATION RE DISCOVERY PROPOUNDED BY
7 **DEFENDANT BRANT BLAKEMAN TO PLAINTIFF CORY SPENCER [L.R. 37-2.1]**on the
interested parties in this action by placing a true copy thereof in a sealed envelope addressed as
follows:

8 SEE ATTACHED SERVICE LIST

9 _____ **BY MAIL** (C.C.P. §§ 1013a, *et seq.*): I am "readily familiar" with the firm's practice of
10 collection and processing correspondence for mailing. Under that practice it would be
11 deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid
12 at Los Angeles, California, in the ordinary course of business. I am aware that on motion
of the party served, service is presumed invalid if postal cancellation or postage meter date
is more than one day after date of deposit for mailing in affidavit.

13 X _____ **ELECTRONIC MAIL SERVICE** I served the above documents by electronic mail in the
14 United States during normal business hours by causing the within document to be
15 transmitted to the attorneys of record for the parties herein at the email address(es) of said
attorney(s) as indicated above. The electronic service was in compliance with CRC Rule
16 2.251 and the transmission was reported as complete and without error. I am readily
familiar with Veatch Carlson, LLP business practices for electronic service. :

17 _____ **BY FACSIMILE TRANSMISSION** from Facsimile No. (213) 383-6370 to the fax
18 numbers listed below. The facsimile machine I used complied with Court Rule 2.306.
19 Pursuant to Rule 2.306, I caused the machine to print a transmission confirmation report
that showed the document was transmitted complete and without error and a copy is
attached.

20 _____ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court
21 at whose direction the service was made.

22 Executed on November 14, 2016 at Los Angeles, California.

23
24 /s/Marianne Gadhia
Marianne Gadhia

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27
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SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

1 USDC, Central District, Western Division Case No.: 2:16-cv-02129-SJO (RAOx)

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7	Tyson M. Shower, Esq. Landon D. Bailey, Esq. HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	Attorneys for PLAINTIFFS Telephone: (916) 442-3333 Facsimile: (916) 442-2348 Email: tshower@hansonbridgett.com
10	Victor Otten, Esq. Kavita Tekchandani, Esq. OTTEN LAW PC 3620 Pacific Coast Highway, #100 Torrance, CA 90505	Attorneys for PLAINTIFFS Telephone: (310) 378-8533 Facsimile: (310) 347-4225 Email: vic@ottenlawpc.com Email: kavita@ottenlawpc.com
15	Edwin J. Richards, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 992614-8595	Attorneys for Defendants CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLY Telephone: (949) 417-0999 Facsimile: (949) 417-5394 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
20	J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant ALAN JOHNSTON aka JALIAN JOHNSTON Telephone: (310) 526-2237 Facsimile: (310) 526-2237 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
25	Peter R. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant MICHAEL RAY PAPAYANS Telephone: (310) 272-5353 Facsimile: (213) 477-2137 Email: peter@hblwfirm.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Facsimile: (213) 629-4520 Email: fields@markfieldslaw.com
2	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
3	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tara Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com Email: Tera.Lutz@lewisbrisbois.com
4	Laura Bell, Esq. William Lock, Esq. BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd., Suite 110 Woodland Hills, CA 91367	Attorney for Defendants, FRANK FERRARA and CHARLIE FERRARA Telephone: (818) 712-9800 Facsimile: (818) 712-9900 Email: lbell@bremerwhyte.com Email: wlocke@bremerwhyte.com
5	Daniel M. Crowley, Esq. BOOTH, MITCHEL & STRANGE LLP 707 Wilshire Blvd., Suite 4450 Los Angeles, CA 90017	Telephone: (213) 738-0100 Facsimile: (213) 380-3308 Email: dmcrowley@boothmitchel.com
6	Robert S. Cooper, Esq. Buchalter Nemer 1000 Wilshire Boulevard, Suite 1500 Los Angeles, CA 90017-1730	Switchboard: (213) 891-0700 Telephone (direct): (213) 891-5230 Facsimile: (213) 630-5609 Email: rcooper@buchalter.com
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